

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**
EIGHTH DAY'S PROCEEDINGS

**Thirty-First Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Monday, April 8, 2002

The Senate was called to order at 10:00 o'clock A.M., by Hon. John Hainkel, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Fields	Lambert
Barham	Fontenot	Lentini
Bean	Gautreaux	Malone
Boissiere	Heitmeier	Michot
Campbell	Holden	Mount
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Ullo
Ellington	Jones, C	
Total—32		

ABSENT

Bajoie	Marionneaux	Thomas
Cain	McPherson	
Hines	Romero	
Total—7		

The President of the Senate announced there were 32 Senators present and a quorum.

Prayer

The prayer was offered by Father Joel LaBauve, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

April 8, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 19—
BY SENATOR HOYT

AN ACT

To amend and reenact R. S. 17:3091(A) and (C), 3092(11), 3095(E)(1), the introductory paragraph of 3096(A)(1), (A)(1)(b), (D), (E)(1) and (2), and 3099(E), relative to the Louisiana Student Tuition Assistance Revenue Trust Program, referred to as START; to conform references to such plans with the federal law; to provide relative to the use that may be made of START account funds; to revise the definition of tuition; to provide for certain residency requirements; to provide that accounts that are invested in equities are eligible for earnings enhancements; to provide relative to the full funding of accounts; to provide relative to the payment of earnings enhancements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 63—
BY SENATOR BARHAM

AN ACT

To enact R.S. 33:381(C)(26), relative to the village of Lisbon; to authorize the village governing authority to provide for the filling of the office of chief of police by appointment or in the alternative to abolish the office of police chief; to provide for the method of appointment and for the salary, term, duties, qualifications, supervision, and residency of an appointed police chief; to authorize the mayor and the board of aldermen to enter a cooperative endeavor for law enforcement services; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 69—

BY SENATORS SCHEDLER AND THOMAS AND REPRESENTATIVE STRAIN

AN ACT

To amend and reenact R.S. 33:172, relative to annexation by municipalities; to provide for annexation of property by municipalities; to provide for growth management agreements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 10—
BY SENATOR HOYT

AN ACT

To enact R.S. 40:4.10, relative to medical waste; to require landowners who store infectious medical waste to notify the public; to provide for notice to certain public agencies; to provide for a penalty for violation of the notice requirement; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 45—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 46:1053(Y), relative to Hospital Service District Number One of East Baton Rouge Parish; to increase the membership of the board of commissioners; to provide relative to the terms of office of the members of the board of commissioners; to provide that one member shall be a physician; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 53—
BY SENATOR MOUNT

AN ACT

To enact R.S. 46:1053(C)(2)(d), relative to the Calcasieu Cameron Hospital Service District; to provide relative to the per diem of the members of the board of commissioners of the district; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 37—
BY SENATOR HAINKEL

AN ACT

To enact R.S. 13:721 and 722 and to repeal R.S. 13:719 and 720, relative to the Twenty-Second Judicial District Court; to provide for the office of commissioner for the Twenty-Second Judicial District Court in criminal matters; to provide for the selection and removal of the commissioner from office; to provide for the qualifications of office, salary, related benefits, expenses of office, and office space; to provide for the sources of funding for the commissioner and his office and employees; to provide for the duties and powers of the commissioner; to provide for conduct of proceedings by the commissioner upon consent of the parties; to provide for delays to traverse the findings and to provide for hearings thereon; to provide for the authority of a judge to accept, reject, or modify the findings; to repeal provisions providing for the existing office of commissioner; to provide for effective dates; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 8—
BY SENATOR HOYT

AN ACT

To enact R.S. 33:172.3, relative to annexation of property by municipalities; to provide for annexation of property by the city of Crowley; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 5—
BY SENATOR CAIN AND REPRESENTATIVES HILL AND JOHN SMITH
AN ACT

To amend and reenact R.S. 47:302.24(B) and (C) and 322.8, and to repeal R.S. 47:302.24(D), relative to sales and use taxes; to provide for the allocation and use of tax proceeds credited to the Beauregard Parish Community Development Fund; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 75—
BY SENATORS BOISSIERE AND SCHEDLER AND REPRESENTATIVES ALARIO AND TUCKER
AN ACT

To amend and reenact R.S. 33:9039.20(B)(7), relative to community development districts; to limit the authority of such districts relative to revenue producing utilities; to exclude electricity and gas service from such authority; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**Introduction of
Senate Concurrent Resolutions**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 32—
BY SENATORS FONTENOT AND HAINKEL
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Dr. Thomas Greenwood Clausen, former state superintendent of education.

The resolution was read by title. Senator Fontenot moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Jones, C
Barham	Fontenot	Lambert
Bean	Gautreaux	Lentini
Boissiere	Heitmeier	Malone
Campbell	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Smith
Dardenne	Irons	Theunissen

Dean Ellington Total—29	Johnson Jones, B	Ullo
	NAYS	
Total—0	ABSENT	
Bajoie Cain Dupre Hines Total—10	Marionneau McPherson Romero Schedler	Tarver Thomas

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 33—
BY SENATOR HOLDEN
A CONCURRENT RESOLUTION

To commend and congratulate the Girl Scouts of the U.S.A. on the 90th anniversary of girl scouting.

The resolution was read by title. Senator Holden moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President Barham Bean Boissiere Chaisson Cravins Dardenne Dean Ellington Total—27	Fields Gautreaux Heitmeier Holden Hollis Hoyt Irons Johnson Jones, B	Jones, C Lambert Lentini Malone Michot Mount Smith Theunissen Ullo
	NAYS	
Total—0	ABSENT	
Bajoie Cain Campbell Dupre Total—12	Fontenot Hines Marionneau McPherson	Romero Schedler Tarver Thomas

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**House Bills
on Second Reading**

The following House Bills were read and acted upon as follows:

HOUSE BILL NO. 12—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 38:2607, relative to the Cypress-Black Bayou Recreation and Water Conservation District; to authorize the Wildlife and Fisheries Commission to prohibit the use of nets and traps for fishing purposes in Cypress Bayou Reservoir and Black Bayou Reservoir; to require the Cypress-Black Bayou Recreation and Water Conservation District Commission to maintain public access to both reservoirs; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 102, was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 30—
BY REPRESENTATIVES SCALISE, BRUNEAU, CAPELLA, CLARKSON, CRANE, DANIEL, DURAND, FAUCHEUX, JOHNS, AND TUCKER AND SENATOR MICHOT
AN ACT

To enact R.S. 47:301(16)(h), (22), and (23) and 305.52, relative to state and local sales and use taxes; to define tangible personal property for state sales and use tax purposes to exclude certain custom computer software; to provide that the exclusion shall be phased in over a four-year period; to allow governing authorities of political subdivisions to exempt sales of certain computer software; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Hollis to Reengrossed House Bill No. 30 by Representative Scalise (Duplicate of Senate Bill No. 98)

AMENDMENT NO. 1

On page 4, delete lines 1 through 4 in their entirety and insert in lieu thereof the following:

"§305.52. Exemption; custom computer software in technology enterprise zones

R.S. 47:305.52 is all proposed new law.

The governing authority of a political subdivision may, by ordinance, create one or more technology enterprise zones, which may include a single parcel, multiple parcels, or the entire area of the political subdivision, and provide for a sales and use tax exemption for sales of custom computer software within the zones for all local sales and use taxes levied by the political subdivision within the zones."

On motion of Senator Hollis, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 98, was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 48—

BY REPRESENTATIVE BALDONE AND SENATORS DUPRE AND GAUTREAUX

AN ACT

To amend and reenact R.S. 34:2201, relative to the Terrebonne Parish Port Commission; to provide with respect to appointment and removal of members to the commission; and to provide for related matters.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Dupre to Reengrossed House Bill No. 48 by Representative Baldone (Duplicate of Senate Bill No. 3)

AMENDMENT NO. 1

On page 3, line 9, between "authority" and "vote" insert the following:

"which appointed the member"

AMENDMENT NO. 2

On page 3, line 11, between "may" and "remove" insert "only"

AMENDMENT NO. 3

On page 3, line 11, between "president" and "upon" delete "only"

On motion of Senator Dupre, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 3, was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 138—

BY REPRESENTATIVES ANSARDI, ALARIO, DAMICO, GREEN, MARTINY, AND SNEED AND SENATORS HAINKEL AND HEITMEIER

AN ACT

To enact R.S. 17:85.1, relative to naming a high school athletic field house; to authorize the parish school board in certain parishes to name a high school athletic field house in honor of a former parish president and football director; to provide limitations; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 113, was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 163—

BY REPRESENTATIVE TOWNSEND AND SENATOR SMITH
AN ACT

To authorize the Natchitoches Parish School Board to sell, transfer, assign, exchange, or otherwise negotiate the disposal of a certain parcel of land to the state of Louisiana or to the city of Natchitoches; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 101, was read by title and referred to the Legislative Bureau.

Senate Bills and Joint Resolutions on Second Reading

The following Senate Bills and Joint Resolutions were taken up and acted upon as follows:

SENATE BILL NO. 117 (Substitute for Senate Bill 109 by Senator Theunissen)—

BY SENATORS THEUNISSEN AND SCHEDLER
AN ACT

To enact R.S. 39:99, relative to the disposition of certain monies accruing to city, parish, and other local public school systems; to require the state treasurer to enter into contracts to invest such monies on behalf of such school boards; to provide for the obligations of the state treasurer; to provide for the obligations of the school boards; to provide for the required contractual inclusions; and to provide for related matters.

On motion of Senator Dardenne, the bill was read by title and ordered engrossed and passed to a third reading.

Senate Concurrent Resolutions on Second Reading Reported by Committees

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 22—

BY SENATOR HOLDEN

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to request the appropriate officials at the United States Department of Education to review the federal laws and guidelines with respect to assuring that the approved use of Title I funds to address the educational needs of students is not jeopardized in cases in which the management and implementation of such funds by a local education agency are being examined.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Concurrent Resolution No. 22 by Senator Holden

AMENDMENT NO. 1

On page 1, line 9, change "in excess of an \$8 billion federal" to "a federal aid"

AMENDMENT NO. 2

On page 1, line 12, after "aims to" delete the remainder of the line and insert "provide extra resources to improve high poverty schools and enable at-risk"

AMENDMENT NO. 3

On page 2, line 26, change "which" to "whom"

On motion of Senator Theunissen, the committee amendment was adopted.

The resolution was read by title. Senator Holden moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS and NAYS, listing members like Mr. President, Barham, Bean, etc.

Total—0

Table with columns for ABSENT, listing members like Bajoie, Cain, Dupre.

The Chair declared the Senate had adopted the amended Senate Concurrent Resolution and ordered it engrossed and sent to the House.

SENATE CONCURRENT RESOLUTION NO. 27— BY SENATOR JOHNSON

A CONCURRENT RESOLUTION

To establish a small business task force to study the various programs, incentives, credits, inducements, and other assistance programs available to small businesses in Louisiana.

Reported favorably by the Committee on Commerce and Consumer Protection.

The resolution was read by title. Senator Johnson moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS, listing members like Mr. President, Barham, Fields, etc.

Table listing members like Bean, Boissiere, Campbell, Chaisson, Cravins, Dardenne, Dean, Ellington, Total—30.

NAYS

Total—0

ABSENT

Table listing members like Bajoie, Cain, Dupre, Total—9, Hines, Marionneau, McPherson, Romero, Schedler, Thomas.

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Senate Concurrent Resolutions to be Adopted, Subject to Call

The following Senate Concurrent Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Fields asked that Senate Concurrent Resolution No. 1 be called from the Calendar at this time.

SENATE CONCURRENT RESOLUTION NO. 1— BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To request submission of insurance company balance sheets for review by the legislative insurance committees and review by such committees of Insurance Rating Commission practices in approving rate increases.

The resolution was read by title.

On motion of Senator Fields, Senate Concurrent Resolution No. 1 was recommitted to the Committee on Insurance.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

SENATE BILL NO. 3— BY SENATORS DUPRE AND GAUTREAUX AN ACT

To amend and reenact R.S. 34:2201, relative to the Terrebonne Parish Port Commission; to provide with respect to appointment and removal of members to the commission; and to provide for related matters.

April 8, 2002

On motion of Senator Lambert, the bill, which is a duplicate of House Bill No. 48 was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 26— BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 38:2212(A)(3)(a), 2212.1(B)(1), 2237(A)(6), and 2238.2(A)(2)(a) and (b), relative to public contracts; to authorize certain advertisements by electronic media; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Barham, Bean, Boissiere, Campbell, Chaisson, Cravins, Dardenne, Dean, Ellington, Total—30; Fields, Fontenot, Gautreaux, Heitmeier, Holden, Hollis, Hoyt, Irons, Johnson, Jones, B; Jones, C, Lambert, Lentini, Malone, Michot, Mount, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns: Bajoie, Cain, Dupre, Total—9; Hines, Marionneau, McPherson; Romero, Schedler, Thomas.

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 28— BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 49:316.1(A), relative to user charges on credit cards; to authorize the establishment of a fee by the state treasurer for payment of state charges by credit cards, debit cards or similar payment devices; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Barham, Bean, Boissiere, Campbell, Chaisson, Cravins, Dardenne, Dean, Ellington, Total—30; Fields, Fontenot, Gautreaux, Heitmeier, Holden, Hollis, Hoyt, Irons, Johnson, Jones, B; Jones, C, Lambert, Lentini, Malone, Michot, Mount, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns: Bajoie, Cain, Dupre, Total—9; Hines, Marionneau, McPherson; Romero, Schedler, Thomas.

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 51— BY SENATOR CAMPBELL

AN ACT

To enact R.S. 48:386.1, relative to railroads; to provide for the maintenance of railroad rights of way; to provide for notice for failure to maintain rights of way; to provide for penalties; and to provide for related matters.

On motion of Senator Campbell, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 52— BY SENATOR CAMPBELL

AN ACT

To amend and reenact R.S. 32:169(E), relative to railroads; to provide for cross buck, stop and warning signs; to require traffic control devices at all public railroad grade crossings located within one-half mile of any elementary or secondary school; to authorize agreements between railroad companies and the Department of Transportation and Development concerning such control devices; and to provide for related matters.

On motion of Senator Campbell, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 71—

BY SENATORS B. JONES AND DARDENNE
AN ACT

To enact R.S. 51:935.1, relative to economic development activities; to require the Department of Economic Development to issue biennial reports on certain economic development activities in the state; to require the division of administration to prepare the report; to provide for review and certification of the report; to provide for certain performance audits by the legislative auditor; and to provide for related matters.

Floor Amendments Sent Up

Senator B. Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Jones to Engrossed Senate Bill No. 71 by Senator B. Jones

AMENDMENT NO. 1

On page 2, line 10, after "and the" delete "accuracy" and insert "material correctness"

AMENDMENT NO. 2

On page 2, line 16, after "data" delete "necessary to prepare the report" and insert "in connection with or related to any provision of this Section"

AMENDMENT NO. 3

On page 3, line 8, after "program" delete "which confers direct or indirect benefits on employers" and insert "which the division of administration and the Louisiana Economic Development Council have agreed should be included in the report"

AMENDMENT NO. 4

On page 3, line 17, after "data" insert ", including both direct and indirect impact,"

AMENDMENT NO. 5

On page 4, line 3, delete "employer" and insert "employers"

AMENDMENT NO. 6

On page 4, line 6, after "of the" delete "employer" and insert "employers"

AMENDMENT NO. 7

On page 4, line 8, after "generated" delete "at business locations" and insert "by employers"

AMENDMENT NO. 8

On page 4, line 21, after "D." delete the remainder of the line and on line 22, delete "Economic Development" and insert "The independent economist who prepares the biennial unified economic development budget report"

AMENDMENT NO. 9

On page 5, line 1, after "development." delete "(1) The division of administration" and insert "The independent economist"

AMENDMENT NO. 10

On page 5, delete lines 4 through 8.

AMENDMENT NO. 11

On page 5, line 21, at the beginning of the line, delete "an employer participating in"

AMENDMENT NO. 12

On page 6, line 1, after "requires," delete the remainder of the line and delete lines 2 through 5 and insert "because such data, information, or report was not provided by the employer and should have been provided to such departments either by law or contract, then that department to which the data, information, or report should have been provided may request the employer to provide such data, information, or report."

AMENDMENT NO. 13

On page 6, line 7, delete "accuracy" and insert "material correctness"

AMENDMENT NO. 14

On page 6, line 8, delete "program" and insert "programs"

AMENDMENT NO. 15

On page 6, line 9, after "to the" delete "accuracy" and insert "material correctness"

AMENDMENT NO. 16

On page 6, line 20, after "guarantees," delete "and training programs. It may include"

AMENDMENT NO. 17

On page 6, line 22 after "such" delete "tax" and after "identifiable" delete "employer or"

AMENDMENT NO. 18

On page 7, line 12, after "entity" delete the remainder of the line and on line 13, delete "fiscal benefit from" and insert "participating in"

On motion of Senator B. Jones, the amendments were adopted.

The bill was read by title. Senator B. Jones moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Jones, C
Barham	Fontenot	Lentini
Bean	Gautreaux	Malone
Boissiere	Heitmeier	Michot
Campbell	Holden	Mount
Chaisson	Hollis	Schedler
Dardenne	Hoyt	Smith
Dean	Irons	Tarver
Dupre	Johnson	Theunissen
Ellington	Jones, B	Ullo

April 8, 2002

Total—30

NAYS

Total—0

ABSENT

Bajoie	Hines	McPherson
Cain	Lambert	Romero
Cravins	Marionneaux	Thomas
Total—9		

The Chair declared the amended bill was passed. The title was read and adopted. Senator B. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 101—

BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND
AN ACT

To authorize the Natchitoches Parish School Board to sell, transfer, assign, exchange, or otherwise negotiate the disposal of a certain parcel of land to the state of Louisiana or to the city of Natchitoches; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Barham	Gautreaux	Malone
Bean	Heitmeier	Michot
Boissiere	Holden	Mount
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Ullo
Ellington	Jones, C	
Fields	Lambert	
Total—31		

NAYS

Total—0

ABSENT

Bajoie	Hines	Romero
Cain	Marionneaux	Thomas
Cravins	McPherson	
Total—8		

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 102—

BY SENATOR MALONE

AN ACT

To enact R.S. 38:2607, relative to the Cypress-Black Bayou Recreation and Water Conservation District; to authorize the Wildlife and Fisheries Commission to prohibit the use of nets and traps for fishing purposes in Cypress Bayou Reservoir and Black Bayou Reservoir; to require the Cypress-Black Bayou Recreation and Water Conservation District Commission to maintain public access to both reservoirs; and to provide for related matters.

The bill was read by title. Senator Malone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Barham	Gautreaux	Malone
Boissiere	Heitmeier	Michot
Campbell	Holden	Mount
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Ullo
Ellington	Jones, C	
Fields	Lambert	
Total—31		

NAYS

Total—0

ABSENT

Bajoie	Hines	Romero
Bean	Marionneaux	Thomas
Cain	McPherson	
Total—8		

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 106—

BY SENATORS DARDENNE AND SCHEDLER

AN ACT

To amend and reenact Paragraph (P)(1) and (2) of Article 14, Section 47 of the 1921 Constitution of Louisiana, as amended, continued as a statute pursuant to Article XIV, Section 16 of the 1974 Constitution of Louisiana, relative to the Louisiana Stadium and Exposition District; to provide for the allocation of funds derived by the district; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 106 by Senator Dardenne

AMENDMENT NO. 1

On page 2, delete lines 12 and 13 and insert "considered as surplus."

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Engrossed Senate Bill No. 106 by Senator Dardenne

AMENDMENT NO. 1

On page 3, line 27, between "to" and "World" insert "the Bayou Classic,"

Motion

Senator C. Jones moved the previous question on the amendment.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Michot
Boissiere	Holden	Mount
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Ullo
Ellington	Jones, C	
Fontenot	Lambert	
Total—25		

NAYS

Bean	Gautreaux	Malone
Dean	Lentini	
Total—5		

ABSENT

Bajoie	Fields	McPherson
Barham	Hines	Romero
Cain	Marionneaux	Thomas
Total—9		

The Chair declared the previous question was called on the amendment.

Senator Fields moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Barham	Fontenot	Lentini
Bean	Gautreaux	Malone
Boissiere	Heitmeier	Michot
Campbell	Holden	Mount
Chaisson	Hollis	Smith
Cravins	Hoyt	Tarver
Dardenne	Irons	Theunissen
Dupre	Johnson	Ullo
Ellington	Jones, C	
Total—29		

NAYS

Dean	
Total—1	

ABSENT

Bajoie	Jones, B	Romero
Cain	Marionneaux	Schedler
Hines	McPherson	Thomas
Total—9		

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Engrossed Senate Bill No. 106 by Senator Dardenne

AMENDMENT NO. 1

On page 3, line 23, after "programs" insert "**with preference being given to local marketing and promotional companies**"

On motion of Senator Irons, the amendments were adopted.

On motion of Senator Dardenne, the amended bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 110—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 17:64(E) and 72(G), relative to the powers of certain school boards; to authorize the Zachary Community School Board and the Baker School Board to borrow money to fund budgeted expenditures for Fiscal Year

2002-2003; to authorize the boards to execute notes or other evidences of indebtedness; and to provide for related matters.

The bill was read by title. Senator Fontenot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Barham, Bean, Boissiere, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Total—31.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Includes Bajoie, Cain, Hines, Total—8.

The Chair declared the bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 113—

BY SENATORS HEITMEIER AND HAINKEL AND REPRESENTATIVES ANSARDI, ALARIO, DAMICO, GREEN, MARTINY, AND SNEED AN ACT

To enact R.S. 17:85.1, relative to naming a high school athletic field house; to authorize the parish school board in certain parishes to name a high school athletic field house in honor of a former parish president and football director; to provide limitations; and to provide for related matters.

On motion of Senator Lambert, the bill, which is a duplicate of House Bill No. 148 was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 114—

BY SENATOR HOLLIS AN ACT

To amend and reenact R.S. 25:315(A), relative to the Louisiana Music Commission; to provide for the domicile of the Louisiana Music Commission; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Barham, Bean, Boissiere, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Total—31.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Includes Bajoie, Cain, Hines, Total—8.

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 116—

BY SENATORS CAIN, IRONS, BAJOIE, BOISSIERE, CAMPBELL, CRAVINS, ELLINGTON, FONTENOT, JOHNSON AND SMITH AN ACT

To amend and reenact R.S. 18:1505.3(B), and to enact R.S. 18:1505.3(E), relative to campaign finance; to prohibit the expenditure of certain funds during an election; to prohibit a federal political action committee, a state political committee, or a corporation from being formed as a subterfuge to hide the names of individuals who make contributions to federal political action committees, state political action committees, or corporations who make campaign expenditures; and to provide for related matters.

On motion of Senator Cain, the bill was read by title and returned to the Calendar, subject to call.

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Campbell asked that Senate Bill No. 52 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 52—

BY SENATORS CAMPBELL, BARHAM, BEAN, BOISSIERE, CHAISSON, CRAVINS, DARDENNE, DUPRE, ELLINGTON, FIELDS, HEITMEIER, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MICHOT, MOUNT, SCHEDLER, SMITH, TARVER, THEUNISSEN, AND ULLO

AN ACT

To amend and reenact R.S. 32:169(E), relative to railroads; to provide for cross buck, stop and warning signs; to require traffic control devices at all public railroad grade crossings located within one-half mile of any elementary or secondary school; and to provide for related matters.

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Engrossed Senate Bill No. 52 by Senator Campbell

AMENDMENT NO. 1

On page 1, line 5, after "school;" delete the remainder of the line, line 6 in its entirety and on line 7, delete "Development concerning such devices;"

AMENDMENT NO. 2

On page 2, delete lines 10 through 22, and insert in lieu thereof the following:

"R.S. 32:169(E)(2) is all proposed new law.

(2)(a) The Department of Transportation and Development, in cooperation with each parish superintendent of transportation, shall identify all public highway railroad grade crossings located within one-half mile of any public or private elementary or secondary school. The department shall further identify such grade crossings that have active warning devices in place, whether such active warning devices include lights only or lights and cross-arms, and also identify the grade crossings that are scheduled to have active warning devices installed, and the grade crossings that do not have active warning devices in place.

(b) The survey shall be completed no later than June 1, 2002. A report of the survey shall be submitted to the Senate Committee on Transportation, Highways and Public Works and the House Committee on Transportation, Highways and Public Works no later than September 1, 2002. Beginning in 2003, the department shall file an annual report with the committees no later than March 1 of each year. The report shall contain but not be limited to the following information: the number of grade crossings located within one-half mile of any public or private elementary or secondary school; the number of affected grade crossings that have active warning devices in place; whether such active warning devices include lights only or lights and cross-arms; the number of affected grade crossings scheduled to have active warning devices installed; the expected dates

of installation of active warning devices for those affected grade crossings; and the number of affected grade crossing that do not have active warning devices in place.

(c) After all grade crossings located within one-half mile of any public or private elementary or secondary school have been identified and the initial report has been filed, the department shall prioritize the affected grade crossings according to standards of the industry as set forth in the Railroad Grade Crossing Handbook. At least twenty five percent of all federal or state funds available to the department for grade crossing upgrades shall be used to upgrade such affected grade crossings, each year, until all such affected grade crossings have been upgraded with active warning devices, including lights and cross-arms."

AMENDMENT NO. 3

On page 3, after line 13, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Campbell, the amendments were adopted.

The bill was read by title. Senator Campbell moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, Lambert; Barham, Fontenot, Lentini; Bean, Gautreaux, Malone; Boissiere, Heitmeier, Michot; Campbell, Holden, Mount; Chaisson, Hollis, Schedler; Cravins, Hoyt, Smith; Dardenne, Irons, Tarver; Dean, Johnson, Theunissen; Dupre, Jones, B, Ullo; Ellington, Jones, C; Total—32

NAYS

Total—0

ABSENT

Table with 3 columns: Bajoie, Marionneau, Thomas; Cain, McPherson; Hines, Romero; Total—7

The Chair declared the amended bill was passed. The title was read and adopted. Senator Campbell moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Dardenne asked that Senate Bill No. 106 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 106—

BY SENATORS DARDENNE AND SCHEDLER
AN ACT

To amend and reenact Paragraph (P)(1) and (2) of Article 14, Section 47 of the 1921 Constitution of Louisiana, as amended, continued as a statute pursuant to Article XIV, Section 16 of the 1974 Constitution of Louisiana, relative to the Louisiana Stadium and Exposition District; to provide for the allocation of funds derived by the district; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Barham	Fontenot	Lentini
Bean	Gautreaux	Malone
Boissiere	Heitmeier	Michot
Campbell	Holden	Mount
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Ullo
Ellington	Jones, C	
Total—32		

NAYS

Total—0

ABSENT

Bajoie	Marionneaux	Thomas
Cain	McPherson	
Hines	Romero	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Recess

On motion of Senator Lambert, the Senate took a recess until 5:00 o'clock P.M.

After Recess

The Senate was called to order at 5:00 o'clock P.M. by the President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Total—39		

ABSENT

Total—0

The President of the Senate announced there were 39 Senators present and a quorum.

A prayer was offered by Father Whitney Miller, Rector St. Louis High School, Lake Charles, LA.

Senate Business Resumed

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

April 8, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 21—

BY SENATORS SCHEDLER AND ULLO
AN ACT

To amend and reenact R.S. 15:587(A)(1)(b) and (c), and (B) and R.S. 40:1300.52(B)(2), and to enact R.S. 15:598, relative to the Louisiana Bureau of Criminal Identification and Information; to provide with respect to criminal history checks; to provide for fees for civil applicant processing; to create the Criminal Identification and Information Fund in the state treasury; to provide for the purpose, appropriation, and investment of monies in the fund; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 80—

BY SENATORS C. JONES AND CRAVINS
AN ACT

To amend and reenact R.S. 40:966(B)(2) and 967(F)(3)(c) and to enact R.S. 40:966(B)(3), relative to the Uniform Controlled Dangerous Substances Law; to provide with respect to sentencing for certain violations of the Uniform Controlled Dangerous Substances Law; to revise the sentence for distribution or possession with intent to distribute marijuana; to provide with respect to the crime of and applicable sentence for possession of gamma hydroxybutyric acid (GHB); to provide for the effectiveness of such changes; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

April 8, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 32—

BY SENATORS FONTENOT AND HAINKEL
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Dr. Thomas Greenwood Clausen, former state superintendent of education.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 33—

BY SENATOR HOLDEN
A CONCURRENT RESOLUTION

To commend and congratulate the Girl Scouts of the U.S.A. on the 90th anniversary of girl scouting.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 27—

BY SENATOR JOHNSON
A CONCURRENT RESOLUTION

To establish a small business task force to study the various programs, incentives, credits, inducements, and other assistance programs available to small businesses in Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 5—

BY SENATOR SCHEDLER
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to promulgate rules to afford residents of private Intermediate Care Facilities for the Mentally Retarded (ICF/MR) opportunities to move to a more integrated setting.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 30—

BY SENATORS HINES AND MARIONNEAUX AND REPRESENTATIVES
CARTER, CAZAYOUX, AND RIDDLE
A CONCURRENT RESOLUTION

To authorize the study of certain proposals to be submitted by the governing authorities of Avoyelles and Pointe Coupee parishes to the governing body of the Atchafalaya Basin Program for possible inclusion in the state master plan for the Atchafalaya Basin.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 31—

BY SENATORS MCPHERSON AND ELLINGTON
A CONCURRENT RESOLUTION

To memorialize Congress to authorize and direct the U.S. Army Corps of Engineers to perform certain work on the Larto Lake Diversion Canal in Catahoula Parish.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

April 8, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 16—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 34:2102, relative to the compensation of members of the board of commissioners of the West Calcasieu Port, Harbor, and Terminal District; to provide for a maximum per diem of such members; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 20—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 17:3396.4(D), relative to the Research Park Corporation; to authorize the establishment of an executive committee of the board of directors; to specify membership; to provide for the powers and functions of the executive committee; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 32—

BY SENATORS B. JONES, BARHAM, MCPHERSON AND ULLO AND REPRESENTATIVE DEWITT

AN ACT

To amend and reenact Children's Code Art. 791.1, relative to truancy and assessment and service centers; to authorize the creation of a truancy and assessment and service center in that judicial district encompassing the parishes of Lincoln, Union and Rapides; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 47—

BY SENATOR BARHAM

AN ACT

To enact R.S. 40:1300.143(3)(a)(vii), relative to the Rural Preservation Act; to provide for changes to the criteria used to define rural hospitals; to provide for retroactive application; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 55—

BY SENATORS CHAISSON, FONTENOT, LAMBERT, LENTINI AND SCHEDLER AND REPRESENTATIVES GARY SMITH, ALARIO, ANSARDI, DAMICO, DANIEL, FAUCHEUX, MARTINY, LANCASTER, POWELL, SCALISE, SNEED, STRAIN, TOOMY, WALSWORTH, AND WINSTON

AN ACT

To amend and reenact R.S. 47:6005(D), relative to the qualified recycling equipment credit, to provide that certain industries may receive one hundred percent of the credit and any credit carry-forward for a specified period; to provide that any excess credit amount over and above the amount of tax due shall be refunded to the taxpayer in the same manner as overpayments of tax; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 85—

BY SENATORS DARDENNE, BARHAM, HOLLIS AND IRONS

AN ACT

To amend and reenact R.S. 47:1123(4) and (5), 1124, and 1125 and to enact R.S. 47:301(10)(a)(v), relative to the state sales and use tax; to provide for a state sales tax exclusion for certain purchases by a motion picture production company; to provide for an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Privilege Report of the
Legislative Bureau**

April 8, 2002

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

HOUSE BILL NO. 4—

BY REPRESENTATIVE DARTEZ

AN ACT

To designate a bridge located along old U.S. 90, in Amelia, Louisiana, which crosses Bayou Boeuf in Assumption and St. Mary parishes, as the Earl "Tuttum" Bergeron and Janet Marcel Bridge; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 11—

BY REPRESENTATIVE KENNEY

AN ACT

To enact R.S. 33:1236(65), relative to the governing authority of Franklin Parish; to authorize the governing authority to enact an ordinance requiring the clerk of court to collect an additional fee in certain cases; to provide for uses of the fee; to require the fee be remitted to the parish, to authorize the clerk of court to retain a percentage of the fee to defray costs; to require the police jury to hold public hearings prior to enacting the ordinance; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 15—

BY REPRESENTATIVES DOWNER, FUTRELL, FAUCHEUX, AND PRATT

AN ACT

To amend and reenact R.S. 29:422, relative to the Military Service Relief Act; to provide for benefits and rights of persons called to service in the uniformed services; to provide for applicability; to provide for notice requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 24—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 9:203(D), relative to justices of the peace; to provide relative to the authority to perform marriage ceremonies in certain parishes; to provide authority to justices of the peace within the parishes of DeSoto, Bossier, Caddo, Bienville, Webster, or Red River to perform marriage ceremonies within these parishes; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 25—
BY REPRESENTATIVE JANE SMITH
AN ACT

To amend and reenact R.S. 13:621.26, relative to district judges; to provide for an additional judgeship for the Twenty-Sixth Judicial District Court; to provide for compensation of the additional judge; to provide for the election and term of office and those of the successors in office; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 28—
BY REPRESENTATIVES GALLOT AND MCCALLUM
AN ACT

To enact R.S. 13:2583.2, relative to justice of the peace courts in Union Parish; to authorize each constable of a justice of the peace court to appoint a deputy constable for that ward; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 29—
BY REPRESENTATIVE CURTIS
AN ACT

To enact R.S. 13:1899(C)(15), relative to the office of the marshal of the City Court of Alexandria; to increase court costs in criminal and traffic violation cases for the purpose of defraying the expenses of office; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 32—
BY REPRESENTATIVE SCHWEGMANN
AN ACT

To amend and reenact R.S. 33:9075(A), (C), (E), (F)(1)(a) and (b), and (H), relative to the Lake Oaks Subdivision Improvement District; to change the name of the district; to provide relative to the purpose and powers of the district and the plan for the district; to change the method for imposing a parcel fee in the district; to provide relative to the election to authorize such fee and the term of the fee; to provide for redesignation of the law relative to the district; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 41—
BY REPRESENTATIVE R. ALEXANDER AND SENATOR B. JONES
AN ACT

To designate a portion of Louisiana Highway 167 in Jonesboro, Louisiana, as the Richard Zuber Thruway; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 42—
BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 33:1448(I), relative to retired sheriffs and retired sheriff's deputies; to provide that in Ouachita Parish the sheriff shall pay for hospital, surgical, and medical insurance for certain retired sheriffs and deputy sheriffs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 43—
BY REPRESENTATIVE JANE SMITH
AN ACT

To amend and reenact Section 1 of Article 2 of Act 189 of the 1954 Regular Session of the Legislature, relative to the Bossier City-Parish Metropolitan Planning Commission; to increase the membership of the commission; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 44—
BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 47:322.45 and 332.51, relative to the disposition of certain sales tax collections on hotel occupancy in Lafourche Parish; to establish the Lafourche Parish Association for Retarded Citizens (ARC) Training and Development Fund in the state treasury; to provide for deposit of monies into the fund; to provide for the use of the monies in the fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 49—
BY REPRESENTATIVE POWELL
AN ACT

To enact R.S. 33:2476.3, relative to the compensation of members of the fire and police civil service board in the city of Hammond; to provide for compensation of members of the board for attendance at meetings; to provide limitations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 55—
BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 13:1312(D), relative to the Judicial Expense Fund of the Civil District Court for the Parish of Orleans and the First and Second City Courts of the city of New Orleans; to authorize the judges en banc to utilize the fund for the planning, designing,

and construction of a new courthouse; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 62—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 51:911.22(11) and 911.24(I), relative to the Louisiana Manufactured Housing Commission; to provide for definitions; to authorize the collection of criminal history record information on applicants for licensure; to provide for fees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 69—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 40:1299.41(J), 1299.44(A)(5)(c) through (g) and (D)(2)(b)(v) and (vii), and 1299.47(A)(2)(b) and (3)(introductory paragraph), relative to the Patient's Compensation Fund; to provide for procedures for contracting for services; to provide for minimum qualifications and standards for lawyers; to provide for the payment of expenses; to provide for the employment and delegation of authority to a claims manager; to provide certain procedures for the filing of claims; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 69 by Representative DeWitt

AMENDMENT NO. 1

On page 1, line 4, following "paragraph)," and before "relative" insert "and to repeal R.S. 40:1299.44(A)(5)(h),"

AMENDMENT NO. 2

On page 5, following line 7, insert "Section 2. R.S. 40:1299(A)(5)(h) is hereby repealed."

HOUSE BILL NO. 77—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 33:2738.83, relative to the creation of a hospital sales tax district in Vermilion Parish; to create Hospital Sales Tax District No. 2; to provide relative to the governing authority of the sales tax district; to authorize the governing authority of the sales tax district to levy and collect a sales and use tax, subject to voter approval; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 99—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2205(D), relative to the Hazardous Waste Site Cleanup Fund; to remove cap on expenditures from the fund; to provide for use of the fund for costs associated with nonhazardous waste sites; to provide for promulgation of rules and regulations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 100—

BY REPRESENTATIVE DAMICO

AN ACT

To rename Lafitte-LaRose Highway, Louisiana Highway 3134, the Des Familles Parkway; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 109—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact Section 3(C) of Act No. 113 of the 1950 Regular Session of the Legislature as amended by Act No. 186 of the 1970 Regular Session of the Legislature, Act No. 196 of the 1992 Regular Session of the Legislature, Act No. 953 of the 1995 Regular Session of the Legislature, and Act No. 2 of the 1998 First Extraordinary Session of the Legislature, to provide relative to the per diem paid to members of the Bayou Lafourche Freshwater District; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 116—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 47:843(D)(2)(f), relative to tobacco tax regulations; to provide for certain cigarettes to which tax stamps shall not be affixed; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 118—

BY REPRESENTATIVES GLOVER, HAMMETT, DEWITT, PINAC, ALARIO, BAYLOR, HILL, L. JACKSON, MONTGOMERY, AND ODINET

AN ACT

To amend and reenact R.S. 51:1784(C) and Section 4 of Act No. 46 of the 2000 Regular Session of the Legislature, relative to economic development activities of the state; to provide for the source of data used in applying criteria for qualifying for the enterprise zone program; to provide for certain tax credits available to employers for new jobs created in the state; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 127—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:306(A)(1)(c) and to enact R.S. 47:306(A)(1)(d), relative to the sales tax filing requirements of the state through any department, agency, board, commission, or other state entity; to provide that the state and local sales tax returns shall be filed annually; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 128—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:306(A)(3)(a) and (B)(4), relative to the compensation allowed to dealers, manufacturers, wholesalers, jobbers, and suppliers for remitting sales taxes; to provide that compensation shall be allowed to dealers, manufacturers, wholesalers, jobbers, and suppliers who timely remit taxes to the secretary of the Department of Revenue; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 132—

BY REPRESENTATIVES LEBLANC, DEWITT, AND HAMMETT

AN ACT

To amend and reenact R.S. 39:137(A) through (C) and (F) and to repeal R.S. 39:137(E); relative to the Deficit Elimination/Capital Outlay Escrow Replenishment Fund; to provide for use of monies in the fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 143—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2412(1) and to enact R.S. 30:2412(1.1), (9.1), and (24.1) and 2418(M), relative to the disposal of waste tires; to provide for definitions; to provide for criminal penalties for fraudulent violations of the Waste Tire Program; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 148—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 47:820.5(B)(2)(a)(x), relative to the Greater New Orleans Mississippi River Bridges; to authorize the use of certain revenues from the Greater New Orleans Mississippi River Bridges to upgrade the Peters Road rail corridor; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 150—

BY REPRESENTATIVE PRATT AND SENATOR BAJIOIE

AN ACT

To amend and reenact R.S. 33:9092(A), (D)(2), and (F)(1), relative to neighborhood security districts; to change the name of the Garden District's Security Special Taxing District; to change the qualifications for membership on the board of directors of the district; to authorize the renewal of the district's special tax or fee; to provide for the term of the district's special tax or fee; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 158—

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 51:1286(C), relative to the tax levied by the Louisiana Tourism Promotion District; to provide for deposit and use of such monies; to provide for appropriations for certain tourism purposes; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 160—

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 39:2(11.1) and 75(A)(3) and to enact R.S. 39:2(5.1) and (48), relative to the avoidance of budget deficits; to provide for certain definitions; to provide for the budget status report; to provide for the presentation of the CAFR of the state to the committee; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 162—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 47:1835(B) and 1838(4), relative to the Tax Commission Expense Fund; to provide that certain unexpended and unencumbered monies shall remain in the fund at the close of each fiscal year; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lambert, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

**Privilege Report of the
Legislative Bureau**

April 8, 2002

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 12—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 38:2607, relative to the Cypress-Black Bayou Recreation and Water Conservation District; to authorize the Wildlife and Fisheries Commission to prohibit the use of nets and traps for fishing purposes in Cypress Bayou Reservoir and Black Bayou Reservoir; to require the Cypress-Black Bayou Recreation and Water Conservation District Commission to maintain public access to both reservoirs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 30—
BY REPRESENTATIVES SCALISE, BRUNEAU, CAPELLA, CLARKSON, CRANE, DANIEL, DURAND, FAUCHEUX, JOHNS, AND TUCKER AND SENATOR MICHOT
AN ACT

To enact R.S. 47:301(16)(h), (22), and (23) and 305.52, relative to state and local sales and use taxes; to define tangible personal property for state sales and use tax purposes to exclude certain custom computer software; to provide that the exclusion shall be phased in over a four-year period; to allow governing authorities of political subdivisions to exempt sales of certain computer software; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 48—
BY REPRESENTATIVE BALDONE AND SENATORS DUPRE AND GAUTREAUX
AN ACT

To amend and reenact R.S. 34:2201, relative to the Terrebonne Parish Port Commission; to provide with respect to appointment and removal of members to the commission; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 138—
BY REPRESENTATIVES ANSARDI, ALARIO, DAMICO, GREEN, MARTINY, AND SNEED AND SENATORS HAINKEL AND HEITMEIER
AN ACT

To enact R.S. 17:85.1, relative to naming a high school athletic field house; to authorize the parish school board in certain parishes to name a high school athletic field house in honor of a former parish president and football director; to provide limitations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 163—
BY REPRESENTATIVE TOWNSEND AND SENATOR SMITH
AN ACT

To authorize the Natchitoches Parish School Board to sell, transfer, assign, exchange, or otherwise negotiate the disposal of a certain parcel of land to the state of Louisiana or to the city of Natchitoches; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lambert, the Bills and Joint Resolutions were read by title and passed to a third reading.

**Introduction of Resolutions,
Senate and Concurrent**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 20—
BY SENATOR HAINKEL
A RESOLUTION

To commend the Republic of China on Taiwan for its contributions to promoting world health and urge and request the members at the annual summit of the World Health Assembly in May, 2002 in Geneva, Switzerland to support Taiwan's bid to obtain OBSERVER STATUS in the World Health Organization.

On motion of Senator Hainkel, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 34—
BY SENATOR MOUNT
A CONCURRENT RESOLUTION

To urge and request the United States Postal Service to issue a Louisiana Purchase Bicentennial Stamp and to include on such stamp the official Louisiana Purchase Bicentennial logo.

The resolution was read by title. Senator Theunissen moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Romero
Campbell	Hollis	Schedler

Chaisson	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Bean	Johnson
Cravins	Mount
Total—4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 35—
BY SENATOR ROMERO

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of Wiltz Trahan.

The resolution was read by title. Senator Romero moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Romero
Cain	Holden	Schedler
Campbell	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Irons	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, C	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Johnson	Mount
Total—2	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

April 8, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 53—

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 14:30(A)(1) and R.S. 44:3(A)(3) and to enact Subpart D of Part VII of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:141.1 and 141.2 and R.S. 15:1308(A)(introductory paragraph) and (2)(o) and (p), relative to terrorism; to enact the Louisiana Anti-terrorism Act; to create the crime of terrorism; to create the crime of aiding others in terrorism; to provide for criminal penalties; to provide relative to the interception and disclosure of wire and oral communications related to crimes of terrorism; to provide relative to first degree murder with respect to terrorism; to provide relative to the public records law; to direct the Louisiana State Law Institute to redesignate certain provisions of current law; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 170—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 39:100.1(B)(3)(a), relative to the Sports Facility Assistance Fund; to define professional sports association or league to include the PGA Tour, Inc.; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 172—

BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 49:258(4), relative to the procurement of private contractual legal services for state agencies; to provide for the procurement of such legal services for the Department of Health and Hospitals in certain cases; to provide for approval by the governor, the attorney general, and the court; and to provide for related matters.

HOUSE BILL NO. 89—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1625 through 1631, 1636, and 1637 and to enact R.S. 40:1638, relative to fire protection sprinkler systems contractors; to provide for definitions; to provide for administration and regulation; to provide for licensing; to

provide for fees; to provide for prohibited activity; to provide for renewal, reinstatement, and revocation of permits, certificates, and licenses; to provide for fines; to provide for a Fire Sprinkler Trust Fund; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 53—

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 14:30(A)(1) and R.S. 44:3(A)(3) and to enact Subpart D of Part VII of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:141.1 and 141.2 and R.S. 15:1308(A)(introductory paragraph) and (2)(o) and (p), relative to terrorism; to enact the Louisiana Anti-terrorism Act; to create the crime of terrorism; to create the crime of aiding others in terrorism; to provide for criminal penalties; to provide relative to the interception and disclosure of wire and oral communications related to crimes of terrorism; to provide relative to first degree murder with respect to terrorism; to provide relative to the public records law; to direct the Louisiana State Law Institute to redesignate certain provisions of current law; to provide for exceptions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 89—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1625 through 1631, 1636, and 1637 and to enact R.S. 40:1638, relative to fire protection sprinkler systems contractors; to provide for definitions; to provide for administration and regulation; to provide for licensing; to provide for fees; to provide for prohibited activity; to provide for renewal, reinstatement, and revocation of permits, certificates, and licenses; to provide for fines; to provide for a Fire Sprinkler Trust Fund; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce and Consumer Protection.

HOUSE BILL NO. 170—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 39:100.1(B)(3)(a), relative to the Sports Facility Assistance Fund; to define professional sports association or league to include the PGA Tour, Inc.; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 172—

BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 49:258(4), relative to the procurement of private contractual legal services for state agencies; to provide for the procurement of such legal services for the Department of Health and Hospitals in certain cases; to provide for approval by the governor, the attorney general, and the court; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Finance.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

April 8, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 42—

BY REPRESENTATIVE LEBLANC

A CONCURRENT RESOLUTION

To provide that the legislature approves the Atchafalaya Trace Heritage Area Management Plan and to extend the existence of the Atchafalaya Trace Commission for six years.

HOUSE CONCURRENT RESOLUTION NO. 18—

BY REPRESENTATIVE LEBLANC

A CONCURRENT RESOLUTION

To extend the time for the Louisiana Advisory Commission on Intergovernmental Relations to report its findings to the legislature on what services government should provide and the responsibilities of state and local government to provide and fund such services to 2003.

HOUSE CONCURRENT RESOLUTION NO. 27—

BY REPRESENTATIVE CURTIS

A CONCURRENT RESOLUTION

To encourage each city, parish, and other local public school board to adopt a policy or policies to require an attendant for each school bus used to transport students in its system in grades kindergarten through eight.

HOUSE CONCURRENT RESOLUTION NO. 4—

BY REPRESENTATIVE BOWLER

A CONCURRENT RESOLUTION

To authorize and request the Louisiana State Law Institute to review certain statutory provisions and change references in the Insurance Code and other titles of the Louisiana Revised Statutes of 1950 due to the enactment of Act No. 158 of the 2001 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 30—

BY REPRESENTATIVES CROWE AND NEVERS

A CONCURRENT RESOLUTION

To memorialize congress to adopt and submit to the states for ratification a proposed amendment to the United States Constitution permitting prayer and recognition of religious beliefs on public property, including schools.

HOUSE CONCURRENT RESOLUTION NO. 46—

BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To commend Gina Allain of Whispering Forest Elementary School in St. Tammany Parish upon her receipt of the 2001 Presidential Award for Excellence in Mathematics and Science Teaching.

HOUSE CONCURRENT RESOLUTION NO. 47—

BY REPRESENTATIVE RIDDLE AND SENATOR HINES

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Jules P. Bordelon, Jr. of Moreauville.

HOUSE CONCURRENT RESOLUTION NO. 48—

BY REPRESENTATIVE GUILLORY

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating provisions of law supplanting social security benefits for those receiving benefits from a state or local government retirement system.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 4—

BY REPRESENTATIVE BOWLER

A CONCURRENT RESOLUTION

To authorize and request the Louisiana State Law Institute to review certain statutory provisions and change references in the Insurance Code and other titles of the Louisiana Revised Statutes of 1950 due to the enactment of Act No. 158 of the 2001 Regular Session.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Insurance.

HOUSE CONCURRENT RESOLUTION NO. 18—

BY REPRESENTATIVE LEBLANC

A CONCURRENT RESOLUTION

To extend the time for the Louisiana Advisory Commission on Intergovernmental Relations to report its findings to the legislature on what services government should provide and the responsibilities of state and local government to provide and fund such services to 2003.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE CONCURRENT RESOLUTION NO. 27—

BY REPRESENTATIVE CURTIS

A CONCURRENT RESOLUTION

To encourage each city, parish, and other local public school board to adopt a policy or policies to require an attendant for each school bus used to transport students in its system in grades kindergarten through eight.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Education.

HOUSE CONCURRENT RESOLUTION NO. 30—

BY REPRESENTATIVES CROWE AND NEVERS

A CONCURRENT RESOLUTION

To memorialize congress to adopt and submit to the states for ratification a proposed amendment to the United States Constitution permitting prayer and recognition of religious beliefs on public property, including schools.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Education.

HOUSE CONCURRENT RESOLUTION NO. 42—

BY REPRESENTATIVE LEBLANC

A CONCURRENT RESOLUTION

To provide that the legislature approves the Atchafalaya Trace Heritage Area Management Plan and to extend the existence of the Atchafalaya Trace Commission for six years.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 46—

BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To commend Gina Allain of Whispering Forest Elementary School in St. Tammany Parish upon her receipt of the 2001 Presidential Award for Excellence in Mathematics and Science Teaching.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone

April 8, 2002

Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Total—38		

NAYS

Total—0

ABSENT

Mount
Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 47—
BY REPRESENTATIVE RIDDLE AND SENATOR HINES
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Jules P. Bordelon, Jr. of Moreauville.

The resolution was read by title. Senator Hines moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Total—38		

NAYS

Total—0

ABSENT

Schedler
Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 48—
BY REPRESENTATIVE GUILLORY
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating provisions of law supplanting social security benefits for those receiving benefits from a state or local government retirement system.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Health and Welfare.

Rules Suspended

Senator Mount asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 93 from the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 93—
BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 42:66(L)(1), relative to dual officeholding; to allow a deputy sheriff to hold the office of mayor or alderman of a municipality with a population of two thousand five hundred or less; and to provide for related matters.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Mount to Engrossed House Bill No. 93 by Representative Hill (Duplicate of Senate Bill No. 74)

AMENDMENT NO. 1

On page 1, line 2, immediately after "42:66(L)(1)" delete the remainder of the line and insert in lieu thereof the following:

"and to enact R.S. 42:1123(32), relative to public officers and employees, to"

AMENDMENT NO. 2

On page 1, at the end of line 4, after "less;" add the following:

"to provide exceptions for members of certain political governing authorities with a population of one hundred thousand or less;"

AMENDMENT NO. 3

On page 1, below line 16, add the following:

"Section 2. R.S. 42:1123(32) is hereby enacted to read as follows:

§1123. Exceptions
This Part shall not preclude:
* * *

R.S. 42:1123(32) is all proposed new law.

(32) A member of a planning or zoning commission or municipal or parish governing authority in a parish with a population not in excess of one hundred thousand, according to the latest federal decennial census, or member of his immediate family, or legal entity in which he has a controlling interest from making application to a planning or zoning commission or governing authority for approval of the subdivision or resubdivision of property, provided that the member files a written notice with the Board of Ethics and the body of which he is a member prior to any hearing pertaining to the application and provided that the member recuses himself from any vote of the commission or governing authority related to such application. An appointed member of a board or commission shall have the ability to recuse himself for the purpose of complying with this Paragraph."

AMENDMENT NO. 4

On page 2, line 1, change "Section 2." to "Section 3."

On motion of Senator Mount, the amendments were adopted.

On motion of Senator Mount, the amended bill which is a duplicate of Senate Bill No. 74 was read by title and lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

ENVIRONMENTAL QUALITY

Senator Cain, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

April 8, 2002

To the President and Members of the Senate:

I am directed by your Committee on Environmental Quality to submit the following report:

HOUSE BILL NO. 97—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2011(D)(22)(c), 2014(D), 2195(B), and 2289.1(D), relative to fees paid to the Department of Environmental Quality; to authorize an increase of fees paid into the Environmental Trust Fund; to authorize an increase of fees paid for accreditation by commercial laboratories; to authorize an increase for underground storage tank registration fees; to authorize an increase in participation fees; to provide for maximum fees; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

REPORT OF COMMITTEE ON

FINANCE

Senator Dardenne, Chairman on behalf of the Committee on Finance, submitted the following report:

April 8, 2002

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 29—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request all state departments to comply with the state's existing policies, allowing state employees to continue their educational leave under certain conditions.

Reported favorably.

HOUSE BILL NO. 168—

BY REPRESENTATIVES LEBLANC AND MURRAY AND SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 39:87.5 and to enact R.S. 39:87.6, relative to governmental performance and accountability; to provide for implementation and administration of the Exceptional Performance and Efficiency Incentive Program; to provide for deposit and use of monies in the Incentive Fund; to establish and provide for implementation and administration of the Gainsharing Program; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JAY DARDENNE
Chairman

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Ellington, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

April 8, 2002

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

HOUSE BILL NO. 56—

BY REPRESENTATIVE WRIGHT

AN ACT

To enact R.S. 13:2618, relative to the LaSalle Parish justice of the peace courts; to provide for the territorial jurisdiction of such courts; to provide relative to the election to the offices of justice

of the peace and constable; to provide for effective dates; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 115—
BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 13:2158(D), relative to constables of the First City Court of the city of New Orleans; to provide for the fees of office that the constables may charge in civil matters; and to provide for related matters.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

Senator Barham, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

April 8, 2002

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

HOUSE BILL NO. 58—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 12:1364(A)(4) and (B)(4), relative to limited liability companies; to increase filing fees for annual reports; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 166—
BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 51:2453(1)(a)(xvi), relative to the Louisiana Quality Jobs Program Act; to add to the list of industries which may qualify for benefits; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ROBERT J. BARHAM
Chairman

REPORT OF COMMITTEE ON

JUDICIARY C

Senator Lentini, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

April 8, 2002

To the President and Members of the Senate:

I am directed by your Committee on Judiciary C to submit the following report:

HOUSE BILL NO. 63—
BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 15:542(C), (D), and (E) and 542.1(J)(1) and to enact R.S. 15:542(F), relative to registration of sex offenders; to provide for annual update to the registration information; to provide for an annual registration fee; to provide for written notification of an address change of an offender; to provide for criminal penalties for failure to register; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 165—
BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 26:271, relative to alcoholic beverage permits; to raise certain permit fees for dealers in beverages of low alcoholic content; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Lentini asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 56—
BY REPRESENTATIVE WRIGHT
AN ACT

To enact R.S. 13:2618, relative to the LaSalle Parish justice of the peace courts; to provide for the territorial jurisdiction of such courts; to provide relative to the election to the offices of justice of the peace and constable; to provide for effective dates; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 58—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 12:1364(A)(4) and (B)(4), relative to limited liability companies; to increase filing fees for annual reports; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 63—

BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact R.S. 15:542(C), (D), and (E) and 542.1(J)(1) and to enact R.S. 15:542(F), relative to registration of sex offenders; to provide for annual update to the registration information; to provide for an annual registration fee; to provide for written notification of an address change of an offender; to provide for criminal penalties for failure to register; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 63 by Representative Crowe

AMENDMENT NO. 1

On page 1, line 5, after the semicolon ";" insert "to provide relative to a determination of indigency;"

AMENDMENT NO. 2

On page 1, line 17, after the period "." insert "Such annual registration shall continue for the period of registration required under the provisions of R.S. 15:542.1(H)."

AMENDMENT NO. 3

On page 3, line 5, after "Section" add "and in accordance with any rule adopted by the judges of the judicial district court in the jurisdiction with regard to indigency"

On motion of Senator Lentini, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 97—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2011(D)(22)(c), 2014(D), 2195(B), and 2289.1(D), relative to fees paid to the Department of Environmental Quality; to authorize an increase of fees paid into the Environmental Trust Fund; to authorize an increase of fees paid for accreditation by commercial laboratories; to authorize an increase for underground storage tank registration fees; to authorize an increase in participation fees; to provide for maximum fees; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 97 by Representative Damico

AMENDMENT NO. 1

On page 1, line 8, after "fees;" insert "to provide for an increase contingent upon an appropriation of state general funds;"

AMENDMENT NO. 2

On page 3, line 25, after "2003." delete the remainder of the line and delete line 26

AMENDMENT NO. 3

On page 4, delete lines 1 and 2 in their entirety and insert the following:

"The twenty percent increase shall be contingent upon an appropriation of state general funds of at least seven million five hundred thousand dollars for the fiscal year beginning July 1, 2002."

AMENDMENT NO. 4

On page 4, line 17, delete "not exceeding ninety" and insert "of fifty-four"

On motion of Senator Cain the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 115—

BY REPRESENTATIVE RICHMOND

AN ACT

To enact R.S. 13:2158(D), relative to constables of the First City Court of the city of New Orleans; to provide for the fees of office that the constables may charge in civil matters; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 165—

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 26:271, relative to alcoholic beverage permits; to raise certain permit fees for dealers in beverages of low alcoholic content; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 165 by Representative Farrar

AMENDMENT NO. 1

On page 2, line 2, change "sixty" to "eighty"

AMENDMENT NO. 2

On page 2, line 4, change "sixty" to "eighty"

AMENDMENT NO. 3

On page 2, line 9, change "fifty" to "seventy"

On motion of Senator Lentini, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 166—

BY REPRESENTATIVE MURRAY

AN ACT

To enact R.S. 51:2453(1)(a)(xvi), relative to the Louisiana Quality Jobs Program Act; to add to the list of industries which may qualify for benefits; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 166 by Representative Murray

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 51:2453(1)(a)(xvi)" to "R.S. 51:2453(1)(d)"

AMENDMENT NO. 2

On page 1, line 7, change "R.S. 51:2453(1)(a)(xvi)" to "R.S. 51:2453(1)(d)"

On page 1, delete lines 12 through 20, and on page 2, delete lines 1 through 14, and insert:

"(1) * * *

(d) "Basic industry" shall also mean a National Basketball Association team which relocates to Louisiana and enters into a contract provided for in this Chapter prior to November 1, 2003. However, contracts with such teams:

(1) Shall not grant a total tax credit of more than three million six hundred fifty thousand dollars in any taxable year.

(2) Shall not allow the salary of any person who owns more than twenty-five percent of such team to be included in gross payroll used to calculate the net benefit rate or to be otherwise used to calculate the tax credit.

(3) May be renewed as provided for in this Chapter after November 1, 2003."

On motion of Senator Barham, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 168—

BY REPRESENTATIVES LEBLANC AND MURRAY AND SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 39:87.5 and to enact R.S. 39:87.6, relative to governmental performance and accountability; to provide for implementation and administration of the Exceptional Performance and Efficiency Incentive Program; to provide for deposit and use of monies in the Incentive Fund; to establish and provide for implementation and administration of the Gainsharing Program; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**Senate Bills and Joint Resolutions
Returned from the House of
Representatives with Amendments**

Senator Hoyt asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just returned from the House of Representatives with amendments.

SENATE BILL NO. 10—

BY SENATOR HOYT

AN ACT

To enact R.S. 40:4.10, relative to medical waste; to require landowners who store infectious medical waste to notify the public; to provide for notice to certain public agencies; to provide for a penalty for violation of the notice requirement; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Thompson to Reengrossed Senate Bill No. 10 by Senator Hoyt (Duplicate of H.B. No. 131)

AMENDMENT NO. 1

On page 1, at the end of line 14, delete "identification of the"

AMENDMENT NO. 2

On page 2, at the end of line 4, change "a" to "the"

AMENDMENT NO. 3

On page 2, line 11, after "removal" change "from" to "by"

AMENDMENT NO. 4

On page 2, line 19, after "notice" insert comma ","

AMENDMENT NO. 5

On page 3, line 2, change "may pose a potential" to "posed"

AMENDMENT NO. 6

On page 3, at the end of line 9, delete the colon ":" insert "meeting both of the following criteria:"

AMENDMENT NO. 7

On page 3, line 15, change "their" to "his"

AMENDMENT NO. 8

On page 3, between lines 20 and 21, insert the following:

"(6) A medical facility located at a commercial or industrial site used primarily to administer medical services to site personnel."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Thompson to Reengrossed Senate Bill No. 10 by Senator Hoyt

AMENDMENT NO. 1

Delete House Floor Amendment No.8 in the set of Conforming Amendments proposed by Representative Thompson and adopted by the House of Representatives on April 2, 2002.

AMENDMENT NO. 2

On page 1, line 2, change "R.S. 40:4.10," to "R.S. 40:4(A)(2)(b)(iv) and 4.10,"

AMENDMENT NO. 3

On page 1, line 2, after "landowners" insert a comma "," and "lessees, and occupants"

AMENDMENT NO. 4

On page 1, line 3, after "public;" insert "to provide for promulgation of rules and regulations;"

AMENDMENT NO. 5

On page 1, line 7, change "R.S. 40:4.10 is" to "R.S. 40:4(A)(2)(b)(iv) and 40:4.10 are"

AMENDMENT NO. 6

On page 1, between lines 7 and 8 and insert the following:

"§4. Sanitary Code

A. The state health officer acting through the office of public health of the Department of Health and Hospitals shall prepare, promulgate, and enforce rules and regulations embodied within the state's Sanitary Code covering all matters within his jurisdiction as defined and set forth in R.S. 40:5. The promulgation of this Sanitary Code shall be accomplished in strict accordance with the provisions of the Administrative Procedure Act, and further, in conformity with the following guidelines and directives:

* * *

(2)In order to prevent the occurrence or spread of communicable diseases, the rules and regulations of the Sanitary Code shall provide for an immunization program and provide for and require the reporting, investigation, and application and implementation of appropriate control measures to expressly include isolation and/or quarantine proceedings and measures, for all communicable diseases of public health significance. These rules and regulations shall also be designed to:

* * *

(b)

* * *

R.S. 40:4(A)(b)(iv) is all proposed new law.

(iv) Facilitate the filing and removal of required notices by landowners, lessees, and occupants, pursuant to R.S. 40:4.10.

* * *

AMENDMENT NO. 7

On page 1, line 10, after "landowners" insert a comma "," and "lessees, and occupants"

AMENDMENT NO. 8

On page 1, line 14, after "landowners" insert a comma "," and "lessees, and occupants"

AMENDMENT NO. 9

On page 2, line 1, change "secretary" to "state health officer"

AMENDMENT NO. 10

On page 2, line 2, change "secretary." to "state health officer."

AMENDMENT NO. 11

On page 2, line 2, after "landowners" insert a comma "," and "lessees, and occupants"

AMENDMENT NO. 12

On page 2, line 3, change "secretary" to "state health officer"

AMENDMENT NO. 13

On page 2, line 4, after "hearing" insert "with the division of administrative law"

AMENDMENT NO. 14

On page 2, at the beginning of line 5, after "landowners" insert a comma "," and "lessees, and occupants"

AMENDMENT NO. 15

On page 2, line 5, after "recorded" delete the period "." and insert "at the cost of the landowner, lessee, or occupant."

AMENDMENT NO. 16

On page 2, line 7, after "Hospitals," insert "office of public health, center for environmental health services, the Department of Environmental Quality,"

AMENDMENT NO. 17

On page 2, line 9, after "landowners" insert a comma "," and "lessees, and occupants"

AMENDMENT NO. 18

On page 2, line 11, change "secretary" to "state health officer"

AMENDMENT NO. 19

On page 2, line 15, after "present" change "or" to "and"

AMENDMENT NO. 20

On page 2, line 16, change "secretary" to "state health officer"

AMENDMENT NO. 21

On page 2, line 18, change "secretary" to "state health officer"

AMENDMENT NO. 22

On page 2, line 21, change "secretary." to "state health officer."

April 8, 2002

AMENDMENT NO. 23

On page 2, at the end of line 21, change "secretary" to "state health officer"

AMENDMENT NO. 24

On page 2, line 24, after "petition the" delete the remainder of the line and at the beginning of line 25, delete "the property is located" and insert "division of administrative law"

AMENDMENT NO. 25

On page 2, line 26, after "landowner," insert "lessee, or occupant,"

AMENDMENT NO. 26

On page 2, line 27, change "secretary" to "state health officer"

AMENDMENT NO. 27

On page 2, line 27, change "court" to "administrative law judge"

AMENDMENT NO. 28

On page 3, between lines 18 and 19, insert the following:

"(6) A medical facility located at a commercial or industrial site used primarily to administer medical services to site personnel.

(7) Post secondary educational institutions, including but not limited to schools of medicine, pharmacy, dental, veterinary science, nursing, and allied health professions and any related clinical and research programs."

AMENDMENT NO. 29

On page 3, line 19, after "landowners" insert a comma "," and "lessees, or occupants"

AMENDMENT NO. 30

On page 3, line 20, after "fine" insert a comma "," and "payable to the department,"

AMENDMENT NO. 31

On page 3, at the end line 21, delete period "." and insert "and not to exceed ten thousand dollars per violation per calendar year."

AMENDMENT NO. 32

On page 3, between lines 21 and 22 insert the following:

"E. Nothing in this Section shall be deemed to derogate or detract in any way from the functions, powers, or duties prescribed by law of any other department of this state."

Senator Hoyt moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot

Boissiere	Holden	Mount
Cain	Hollis	Schedler
Campbell	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, C	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Fontenot	Romero
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Hoyt moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 19—
BY SENATOR HOYT

AN ACT

To amend and reenact R. S. 17:3091(A) and (C), 3092(11), 3095(E)(1), the introductory paragraph of 3096(A)(1), (A)(1)(b), (D), (E)(1) and (2), and 3099(E), relative to the Louisiana Student Tuition Assistance Revenue Trust Program, referred to as START; to conform references to such plans with the federal law; to provide relative to the use that may be made of START account funds; to revise the definition of tuition; to provide for certain residency requirements; to provide that accounts that are invested in equities are eligible for earnings enhancements; to provide relative to the full funding of accounts; to provide relative to the payment of earnings enhancements; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 19 by Senator Hoyt

AMENDMENT NO. 1

On page 5, line 11, following "total" and before "earnings" insert "of the"

Senator Hoyt moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Barham	Fontenot	Malone
Bean	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Hines	Michot
Campbell	Holden	Mount
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Jones, B	Romero
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Hoyt moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 45—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 46:1053(Y), relative to Hospital Service District Number One of East Baton Rouge Parish; to increase the membership of the board of commissioners; to provide relative to the terms of office of the members of the board of commissioners; to provide that one member shall be a physician; and to provide for related matters.

On motion of Senator Fontenot, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 63—
BY SENATOR BARHAM

AN ACT

To enact R.S. 33:381(C)(26), relative to the village of Lisbon; to authorize the village governing authority to provide for the filling of the office of chief of police by appointment or in the alternative to abolish the office of police chief; to provide for the method of appointment and for the salary, term, duties, qualifications, supervision, and residency of an appointed police chief; to authorize the mayor and the board of aldermen to enter a cooperative endeavor for law enforcement services; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 63 by Senator Barham

AMENDMENT NO. 1

On page 2, line 16, after "ordinance." and before "The term" insert "Such qualifications shall include a requirement of POST certification or the completion of POST certification within one year after such appointment."

Senator Barham moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Barham	Fontenot	Lentini
Bean	Gautreaux	Malone
Boissiere	Heitmeier	McPherson
Cain	Hines	Michot
Campbell	Holden	Mount
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Marionneaux	Romero
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Barham moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 69—

BY SENATORS SCHEDLER AND THOMAS AND REPRESENTATIVE STRAIN

AN ACT

To amend and reenact R.S. 33:172, relative to annexation by municipalities; to provide for annexation of property by municipalities; to provide for growth management agreements; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 69 by Senator Schedler

AMENDMENT NO. 1

On page 4, line 13, after "Subsection" delete the remainder of the line and at the beginning of line 14, delete "(A)," and insert in lieu thereof "A of this Section,"

AMENDMENT NO. 2

On page 4, line 22, after "Subsection" delete the remainder of the line and at the beginning of line 23 delete "section," and insert in lieu thereof "A of this Section."

AMENDMENT NO. 3

On page 4, line 24, after "required by" and before "by ordinance," change "said Subsection (A)," to "Subsection A."

AMENDMENT NO. 4

On page 5, at the beginning of line 8, change "(A) above." to "A of this Section."

AMENDMENT NO. 5

On page 6, line 2, after "Subsections" and before "and in" change "(C) and (D)" to "C and D"

Senator Schedler moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	
Total—37		
NAYS		
Total—0		
ABSENT		
Bajoie	Hollis	
Total—2		

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator B. Jones asked that Senate Bill No. 100 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 100—

BY SENATOR B. JONES

AN ACT

To amend and reenact R.S. 11:62(3) and 103(C)(2)(b)(i) and (c), relative to the Firefighters' Retirement System; to provide for an equal cost-sharing relationship between the employee, employer, and the state with regard to employee and employer contributions; to authorize possible supplemental funding; to provide for an effective date; and to provide for related matters.

On motion of Senator B. Jones, the bill was read by title and returned to the Calendar, subject to call.

Called from the Calendar

Senator Cravins asked that Senate Bill No. 23 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 23—

BY SENATOR CRAVINS

AN ACT

To enact Code of Criminal Procedure Art. 214.1, relative to arrest; to authorize private security officers licensed by the Louisiana State Board of Private Security Examiners to detain a person suspected of criminal activity; and to provide for related matters.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 23 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 9, delete "Peace Officer Standards and Training"

AMENDMENT NO. 2

On page 1, line 10, delete "(POST) certified,"

AMENDMENT NO. 3

On page 1, line 14, delete "who is currently Peace Officer"

AMENDMENT NO. 4

On page 1, line 15, at the beginning of the line delete "Standards and Training (POST) certified" and insert in lieu thereof "who has additional training as approved by the board"

On motion of Senator Cravins, the amendments were adopted.

Floor Amendments Sent Up

Senator C. Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator CJones to Engrossed Senate Bill No. 23 by Senator Cravins

AMENDMENT NO. 1

On page 2, after line 16, insert the following:

"C. Nothing contained in this Section shall prohibit the detained person from bringing a cause of action for wrongful detention or false arrest or unlawful arrest where such detention is found to be unreasonable or without cause."

On motion of Senator C. Jones, the amendments were adopted.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 23 by Senator Cravins

AMENDMENT NO. 1

On page 2, line 7, after "theft." insert the following:

"Such an offense shall have been committed on the premises secured by the officer."

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Cravins moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fields, and Lentini. Lists names of senators and their corresponding counts for the roll call.

Table with 3 columns: Dardenne, Johnson, Theunissen; Dean, Jones, B, Thomas; Dupre, Jones, C, Ullo; Ellington, Lambert; Total—38.

NAYS

Table with 1 column: Marionneaux; Total—1

ABSENT

Total—0

The Chair declared the amended bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Cain asked that Senate Bill No. 116 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 116—

BY SENATORS CAIN, IRONS, BAJOIE, BOISSIERE, CAMPBELL, CRAVINS, ELLINGTON, FONTENOT, JOHNSON AND SMITH AN ACT

To amend and reenact R.S. 18:1505.3(B), and to enact R.S. 18:1505.3(E), relative to campaign finance; to prohibit the expenditure of certain funds during an election; to prohibit a federal political action committee, a state political committee, or a corporation from being formed as a subterfuge to hide the names of individuals who make contributions to federal political action committees, state political action committees, or corporations who make campaign expenditures; and to provide for related matters.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 116 by Senator Cain

AMENDMENT NO. 1

On page 2, line 5, after "corporation" and before "shall" insert "or a limited liability corporation"

AMENDMENT NO. 2

On page 2, line 8, after "corporations" and before "which" insert "or limited liability corporations"

AMENDMENT NO. 3

On page 2, line 18, following "R.S. 18:1406(C)" and before "." insert "and R.S. 18:1409"

On motion of Senator Cain, the amendments were adopted.

The bill was read by title. Senator Cain moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the amended bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Campbell asked that Senate Bill No. 51 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 51—
BY SENATOR CAMPBELL

AN ACT

To enact R.S. 48:386.1, relative to railroads; to provide for the maintenance of railroad rights of way; to provide for notice for failure to maintain rights of way; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 51 by Senator Campbell

AMENDMENT NO. 1

On page 2, line 17, at the beginning of the line change "Paragraph C" to "Subsection B"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Engrossed Senate Bill No. 51 by Senator Campbell

AMENDMENT NO. 1

On page 1, line 3, after "way;" and before "to provide" insert "to provide for definitions;"

AMENDMENT NO. 2

On page 1, line 4, change "penalties;" to "fines; to provide for limitation of liability;"

AMENDMENT NO. 3

On page 1, line 8, after "Maintenance of" and before "rights" insert "railroad"

AMENDMENT NO. 4

On page 1, line 8, delete "free from obstructions;" and insert in lieu thereof "at public road or highway railroad grade crossings;"

AMENDMENT NO. 5

On page 1, delete lines 11 through 16, and on page 2, delete lines 1 through 20, and insert in lieu thereof the following:

"A. As used in this Section, the following definitions shall apply:

(1) "Maintenance length" means a distance of five hundred feet on each side of the centerline of the public road or highway.

(2) "Maintenance width" means a distance of one hundred feet on each side of the centerline between the rails or the width of the operating right of way, whichever is shorter. The measurement for grade crossings with multiple tracks shall be from the centerlines of the outside tracks.

(3) "Structures and other obstructions" means man-made items placed within the required maintenance area but shall not include:

(a) Any device or structure which is necessary for the safe operation of the railroad.

(b) Any device or structure which is necessary for the safe operation of a motor vehicle.

(c) Any device or structure installed by any governing authority having regulatory authority over the public road or highway.

(d) Fences.

(e) Any device or structure legally placed by public utility or telecommunication companies.

(f) Any permanent structures or buildings in existence prior to June 1, 2002.

(4) "Vegetation" means grass, high weeds, brush, climbing vines, shrubbery, and trees.

B. In addition to the requirements set forth in R.S. 45:323, all railroad companies operating in this state shall maintain their rights of way at any public road or highway railroad grade crossing that is not protected by an active warning device that includes lights and cross-arms, in such a manner that the vegetation and structures and other obstructions do not obstruct the view of motorists approaching such public road or highway railroad grade crossing.

C. Railroad companies shall cut vegetation and remove structures and other obstructions that obstruct the view of the operator of any motor vehicle approaching any public road or highway railroad grade crossing that is not protected by an active warning device that includes lights and cross-arms, from either direction and that are located within the maintenance width and maintenance length of the crossing.

D. (1) Each railroad company shall periodically inspect and evaluate all of its public road or highway railroad grade crossings in the state to determine whether such crossings are in compliance with the provisions of this Section. If the railroad company determines, or is otherwise notified, that a grade crossing is not in compliance with the provisions of this Section, the company shall cause the grade crossing to be in compliance within fifteen working days of its determination or notification of noncompliance.

(2) The Department of Transportation and Development shall periodically inspect and evaluate all state highway railroad grade crossings on state highways to determine whether such grade crossings are maintained in compliance with the provisions of this Section. If the Department of Transportation and Development determines that a particular grade crossing is not in compliance with the provisions of this Section, the department shall inform the parish or municipal governing authority in whose jurisdiction the crossing is located of such determination and the respective governing authority shall notify the respective railroad company.

(3) Each parish or municipal governing authority shall periodically inspect and evaluate all non-state public road or highway railroad grade crossings located within its jurisdiction to determine whether such grade crossings are maintained in compliance with the provisions this Section. If a parish or municipal governing authority determines that a particular grade crossing is not in compliance with the provisions of this Section, the governing authority shall notify the respective railroad company.

(4) Every notification to a railroad company, as authorized in Paragraph (1) of this Subsection or required by a parish or municipal governing authority under the provisions of this Subsection, shall be in writing transmitted by certified mail, return receipt requested, to the person listed as the registered agent of the railroad company for service of process.

(5) Every railroad company who fails or refuses to maintain, or to cause a grade crossing to be in compliance with the provisions of this Section within fifteen working days after receipt of notification, as provided in this Subsection, shall be subject to a civil fine of not less than one hundred dollars for each day of the violation after receipt of the notification subject to a maximum fine not to exceed a total of five thousand dollars, payable to the appropriate parish or municipal governing authority.

E. In any civil action to recover damages arising from or out of a railroad grade crossing accident, the failure of the Department of Transportation and Development or any parish or municipal governing authority to inspect and evaluate a public road or highway railroad grade crossing and notify a railroad company of non-compliance, as provided for in Subsection D of this Section, shall not be considered as comparative negligence and shall not be admissible as evidence in any civil trial.

Section 2. The Department of Transportation and Development shall immediately notify each railroad company operating in this state of the provisions contained in this Act by forwarding a copy of this

Act by certified mail, return receipt requested, to the person listed as the registered agent of the railroad company for service of process.

Section 3. Each railroad company operating in this state shall have one hundred twenty days after the effective date of this Act within which to cause its respective public road or highway grade crossings to be in compliance with the provisions of this Act. During this one hundred day period, no fine shall be levied or imposed on any railroad company for violation of the provisions of this Act.

Section 4. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Senator Campbell moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Mount
Cain	Holden	Romero
Campbell	Hollis	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—35		

NAYS

Dean	Hoyt	Michot
Total—3		

ABSENT

Mr. President
Total—1

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Engrossed Senate Bill No. 51 by Senator Campbell

April 8, 2002

AMENDMENT NO. 1

In Senate Floor Amendment No. 5 proposed by Senator Campbell and adopted by the Senate on April 8, 2002, on page 1, line 17, change "five" to "three"

Senator Theunissen moved adoption of the amendments.

Senator Campbell objected.

ROLL CALL

The roll was called with the following result:

YEAS

Dardenne Jones, B Theunissen
Dean Marionneaux Ullo
Heitmeier Michot
Hoyt Mount
Total—10

NAYS

Bajoie Ellington Lentini
Barham Fields Malone
Bean Gautreaux McPherson
Boissiere Hines Romero
Cain Holden Schedler
Campbell Hollis Smith
Chaisson Irons Tarver
Cravins Johnson Thomas
Dupre Jones, C
Total—26

ABSENT

Mr. President Fontenot Lambert
Total—3

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 51 by Senator Campbell

AMENDMENT NO. 1

In Senate Floor Amendment No. 5 proposed by Senator Campbell and adopted by the Senate on April 8, 2002, on page 1, line 17, change "five" to "four"

On motion of Senator Cravins, the amendments were adopted.

The bill was read by title. Senator Campbell moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fontenot Malone
Bajoie Gautreaux Marionneaux
Barham Heitmeier McPherson
Bean Hines Michot
Boissiere Holden Mount
Cain Hollis Romero
Campbell Hoyt Schedler
Chaisson Irons Smith
Cravins Johnson Tarver
Dardenne Jones, B Theunissen
Dupre Jones, C Thomas
Ellington Lambert
Fields Lentini
Total—38

NAYS

Dean
Total—1

ABSENT

Total—0

The Chair declared the amended bill was passed. The title was read and adopted. Senator Campbell moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Bajoie asked that Senate Bill No. 60 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 60—

BY SENATORS BAJOIE, BOISSIERE AND JOHNSON
AN ACT

To enact R.S. 13:1312(D), relative to the Judicial Expense Fund of the Civil District Court for the Parish of Orleans and the First and Second City Courts of the city of New Orleans; to authorize the judges en banc to utilize the fund for the planning, designing, and construction of a new courthouse; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 60 by Senator Bajoie

AMENDMENT NO. 1

On page 1, line 12, after "D." insert "(1)

AMENDMENT NO. 2

On page 1, at the beginning of line 16, change "(1)" to "(a)"

AMENDMENT NO. 3

On page 2, at the beginning of line 1, change "2" to "b"

AMENDMENT NO. 4

On page 2, at the beginning of line 2, change "(3)" to "(c)"

AMENDMENT NO. 5

On page 2, after line 2, insert the following:

"(2) No additional fees or costs shall be imposed to fund any portion of the planning, designing or construction of a new courthouse.

(3) Any additional funds used for the planning, design or construction of a new courthouse shall come from commercial leasing revenues, contributions from agencies located or to be located in the courthouse, and any other non-court cost related source.

(4) Before any construction of a new courthouse is begun, the plans and costs shall be submitted to and approved by the Joint Legislative Committee on the Budget.

(5) Any contract for the planning, designing or construction of a new courthouse shall be subject to the public bid laws."

On motion of Senator Hainkel, the amendments were adopted.

The bill was read by title. Senator Bajoie moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Total—38		

NAYS

Total—0

ABSENT

Schedler
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

April 8, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 22—

BY SENATOR HOLDEN

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to request the appropriate officials at the United States Department of Education to review the federal laws and guidelines with respect to assuring that the approved use of Title I funds to address the educational needs of students is not jeopardized in cases in which the management and implementation of such funds by a local education agency are being examined.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**Privilege Report of the
Legislative Bureau**

April 8, 2002

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 56—

BY REPRESENTATIVE WRIGHT

AN ACT

To enact R.S. 13:2618, relative to the LaSalle Parish justice of the peace courts; to provide for the territorial jurisdiction of such courts; to provide relative to the election to the offices of justice of the peace and constable; to provide for effective dates; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 58—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 12:1364(A)(4) and (B)(4), relative to limited liability companies; to increase filing fees for annual reports; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 63—

BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact R.S. 15:542(C), (D), and (E) and 542.1(J)(1) and to enact R.S. 15:542(F), relative to registration of sex offenders; to provide for annual update to the registration information; to provide for an annual registration fee; to provide for written notification of an address change of an offender; to provide for criminal penalties for failure to register; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 115—

BY REPRESENTATIVE RICHMOND

AN ACT

To enact R.S. 13:2158(D), relative to constables of the First City Court of the city of New Orleans; to provide for the fees of office that the constables may charge in civil matters; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 165—

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 26:271, relative to alcoholic beverage permits; to raise certain permit fees for dealers in beverages of low alcoholic content; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 166—

BY REPRESENTATIVE MURRAY

AN ACT

To enact R.S. 51:2453(1)(a)(xvi), relative to the Louisiana Quality Jobs Program Act; to add to the list of industries which may qualify for benefits; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 168—

BY REPRESENTATIVES LEBLANC AND MURRAY AND SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 39:87.5 and to enact R.S. 39:87.6, relative to governmental performance and accountability; to provide for implementation and administration of the Exceptional Performance and Efficiency Incentive Program; to provide for deposit and use of monies in the Incentive Fund; to establish and provide for implementation and administration of the Gainsharing Program; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lambert, the Bills and Joint Resolutions were read by title and passed to a third reading.

Rules Suspended

Senator Mount asked for and obtained a suspension of the rules for the purpose of recalling House Concurrent Resolution No. 48 from the Committee on Health and Welfare.

HOUSE CONCURRENT RESOLUTION NO. 48—

BY REPRESENTATIVE GULLORY

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating provisions of law supplanting social security benefits for those receiving benefits from a state or local government retirement system.

The resolution was read by title. Senator Mount moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Total—38		

NAYS

Total—0

ABSENT

Schedler

Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution, and ordered it returned to the House.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

RETIREMENT

Senator Boissiere, Chairman on behalf of the Committee on Retirement, submitted the following report:

April 8, 2002

To the President and Members of the Senate:

I am directed by your Committee on Retirement to submit the following report:

HOUSE BILL NO. 125—

BY REPRESENTATIVES SCHNEIDER AND DANIEL AN ACT

To amend and reenact R.S. 11:502.2(A)(2) and (B)(1)(b), to enact R.S. 11:502.2(A)(3), and to repeal Section 3 of Act No. 454 of the 2001 Regular Session of the Legislature, relative to the optional retirement plan of the Louisiana State Employees Retirement System; to provide for participation in such plan by members of the Executive Career Service; to provide for procedures and time limitations for application for participation in such plan; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 129—

BY REPRESENTATIVES SCHNEIDER, DEWITT, AND DANIEL AN ACT

To amend and reenact R.S. 11:502.2(A)(2) and (B)(1)(a), to enact R.S. 11:502.2(A)(3) and (B)(1)(c), and to repeal Section 2(B) of Act No. 1320 of the 1999 Regular Session of the Legislature, as amended by Act No. 454 of the 2001 Regular Session of the Legislature, relative to the optional retirement plan of the Louisiana State Employees Retirement System; to provide for eligibility for participation in such plan; to provide for procedures and time limitations for application for participation in such plan; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 130—

BY REPRESENTATIVES SCHNEIDER, DEWITT, AND DANIEL AN ACT

To amend and reenact R.S. 11:416, relative to the Louisiana State Employees Retirement System; to provide for the reemployment of retirees; to provide for the benefits paid to such retirees; to provide relative to accrual of credit for service; to provide for employer contributions; to provide an option for regaining membership in the system; to provide for reporting; to provide penalties for failure to report; to provide for retirees reemployed pursuant to Act No. 455 of the 2001 Regular Session of the Legislature and for employees who retired prior to the effective date of such Act; and to provide for related matters.

Reported with amendments

HOUSE BILL NO. 134—

BY REPRESENTATIVES SCHNEIDER AND DANIEL AN ACT

To amend and reenact R.S. 11:542(A), (B), and (C)(1) and (2), relative to cost-of-living increases for retirees, survivors, and beneficiaries provided by the Louisiana State Employees Retirement System; to provide relative to credits and debits of the Employee Experience Account from which such increases are paid; to provide for payment of such increases on a calendar-year basis and based on the Employee Experience Account balance for the prior fiscal year; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 145—

BY REPRESENTATIVE BROOME AN ACT

To repeal R.S. 11:411(10), relative to membership in the Louisiana State Employees' Retirement System; to repeal provisions making employees of the East Baton Rouge Parish Housing Authority members of the system and providing for related matters; to provide that neither the East Baton Rouge Parish Housing Authority nor any employee thereof shall be required or allowed to make contributions to the system pursuant to Act No. 404 of the 2001 Regular Session of the Legislature; and to provide for related matters.

Reported favorably.

Respectfully submitted, LAMBERT BOISSIERE, JR. Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Cravins, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

April 8, 2002

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:

HOUSE BILL NO. 47—

BY REPRESENTATIVE SCALISE

AN ACT

To enact R.S. 15:709, relative to prisons and correctional institutions; to prohibit prisoners convicted in other states from being housed in certain correctional facilities in Louisiana; to require that certain prisoners convicted in other states housed in local jails or private facilities in Louisiana be returned to the state where convicted for release in that state; to provide for definitions; to provide for exceptions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 85—

BY REPRESENTATIVES MARTINY, DEWITT, CLARKSON, FRUGE, JOHNS, AND WALSWORTH

AN ACT

To amend and reenact R.S. 13:5101(B), R.S. 15:1172(B) and (C), 1177(A)(introductory paragraph) and (1) and (C), 1179, 1184(A)(2) and (D), 1186(A) and (B), to enact R.S. 15:1172(D) and (E), 1177(A)(10), and 1184(F) and (G), and to repeal R.S. 49:964(G)(7), relative to civil claims of prisoners; to provide with respect to the initiation and limitation of administrative remedies; to provide with respect to dismissal of claims; to provide liberative prescription for certain actions; to provide for judicial review; to exempt delictual actions from judicial review under the Corrections Administrative Remedy Procedure Act; to provide proper venue for prisoner suits; to provide for the proper party defendant in certain claims; to provide for proceeding in forma pauperis; to repeal certain provisions providing for service of process on the secretary of the Department of Public Safety and Corrections; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 167—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 15:569.1, relative to hours for the execution of death sentences; to amend the hours during which death sentences shall be executed; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DONALD R. CRAVINS
Chairman

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Cravins asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 47—

BY REPRESENTATIVE SCALISE

AN ACT

To enact R.S. 15:709, relative to prisons and correctional institutions; to prohibit prisoners convicted in other states from being housed in certain correctional facilities in Louisiana; to require that certain prisoners convicted in other states housed in local jails or private facilities in Louisiana be returned to the state where convicted for release in that state; to provide for definitions; to provide for exceptions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 47 by Representative Scalise

AMENDMENT NO. 1

On page 2, after line 3, insert the following:

"C. A local jail or private correctional facility may house prisoners convicted and sentenced by another state if the prisoners would not be classified as maximum custody by the Louisiana Department of Corrections classification procedure."

AMENDMENT NO. 2

On page 2, line 4, change "C." to "D."

AMENDMENT NO. 3

On page 2, line 7, change "D." to "E."

AMENDMENT NO. 4

On page 2, line 10, change "E." to "F."

AMENDMENT NO. 5

On page 2, line 17, after "owned" insert "and operated"

On motion of Senator Cravins, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 85—

BY REPRESENTATIVES MARTINY, DEWITT, CLARKSON, FRUGE, JOHNS, AND WALSWORTH

AN ACT

To amend and reenact R.S. 13:5101(B), R.S. 15:1172(B) and (C), 1177(A)(introductory paragraph) and (1) and (C), 1179, 1184(A)(2) and (D), 1186(A) and (B), to enact R.S. 15:1172(D) and (E), 1177(A)(10), and 1184(F) and (G), and to repeal R.S. 49:964(G)(7), relative to civil claims of prisoners; to provide with respect to the initiation and limitation of administrative remedies; to provide with respect to dismissal of claims; to provide liberative prescription for certain actions; to provide for judicial review; to exempt delictual actions from judicial review under the Corrections Administrative Remedy Procedure Act; to provide proper venue for prisoner suits; to provide for the proper party defendant in certain claims; to provide for proceeding in forma pauperis; to repeal certain provisions providing for service of process on the secretary of

the Department of Public Safety and Corrections; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 125—

BY REPRESENTATIVES SCHNEIDER AND DANIEL
AN ACT

To amend and reenact R.S. 11:502.2(A)(2) and (B)(1)(b), to enact R.S. 11:502.2(A)(3), and to repeal Section 3 of Act No. 454 of the 2001 Regular Session of the Legislature, relative to the optional retirement plan of the Louisiana State Employees Retirement System; to provide for participation in such plan by members of the Executive Career Service; to provide for procedures and time limitations for application for participation in such plan; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 125 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 17, after "such" and before "election" insert "written"

AMENDMENT NO. 2

On page 2, line 23, delete "is made and filed in writing" and insert in lieu thereof "is made in writing and filed"

On motion of Senator Boissiere, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 129—

BY REPRESENTATIVES SCHNEIDER, DEWITT, AND DANIEL
AN ACT

To amend and reenact R.S. 11:502.2(A)(2) and (B)(1)(a), to enact R.S. 11:502.2(A)(3) and (B)(1)(c), and to repeal Section 2(B) of Act No. 1320 of the 1999 Regular Session of the Legislature, as amended by Act No. 454 of the 2001 Regular Session of the Legislature, relative to the optional retirement plan of the Louisiana State Employees Retirement System; to provide for eligibility for participation in such plan; to provide for procedures and time limitations for application for participation in such plan; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 129 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 19, after "such" and before "election" insert "written"

AMENDMENT NO. 2

On page 2, line 23, after "(c)" delete "Any" and insert "Notwithstanding the provisions of Subparagraph (a) of this Paragraph, any"

AMENDMENT NO. 3

On page 2, at the end of line 25, delete the comma "," and delete line 26 in its entirety

On motion of Senator Boissiere, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 130—

BY REPRESENTATIVES SCHNEIDER, DEWITT, AND DANIEL
AN ACT

To amend and reenact R.S. 11:416, relative to the Louisiana State Employees Retirement System; to provide for the reemployment of retirees; to provide for the benefits paid to such retirees; to provide relative to accrual of credit for service; to provide for employer contributions; to provide an option for regaining membership in the system; to provide for reporting; to provide penalties for failure to report; to provide for retirees reemployed pursuant to Act No. 455 of the 2001 Regular Session of the Legislature and for employees who retired prior to the effective date of such Act; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 130 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 11:416," and before "relative to" insert "and to enact R.S. 11:266.1 and R.S. 11:416.1,"

AMENDMENT NO. 2

On page 1, line 2, after "relative to" delete "the Louisiana State Employees" and insert "state and statewide retirement systems;"

AMENDMENT NO. 3

On page 1, line 3, delete "Retirement System;" and after "retirees" insert "in the Louisiana State Employees Retirement System"

AMENDMENT NO. 4

On page 1, line 10, after "Act;" insert "to require state and statewide retirement systems to direct twenty-five percent of all investment trades through Louisiana chartered broker dealers;"

AMENDMENT NO. 5

On page 1, line 12, after "reenacted" and before "to read" insert "and R.S. 11:416.1 is hereby enacted"

AMENDMENT NO. 6

On page 1, after line 14, delete the remainder of the page and insert the following:

"A. Any retiree shall be eligible to be reemployed by any employer agency in a position covered by the retirement system without a suspension of benefits, provided the retiree has been retired for a period of at least twelve months from the effective date of his retirement. The twelve-month period that occurs immediately following the effective date of retirement of each retiree, shall be known as the "waiting period".

B. The retiree and the appointing authority of the employer agency covered by this system shall immediately notify the system of the retiree's date of employment, the amount of his starting salary, any subsequent changes in salary, and the date of termination of employment.

C.(1)(a)(i) If any employer agency covered by the retirement system employs a retiree within the waiting period, then the benefits of the retiree shall be suspended for twelve months.

(ii) ~~The twelve months of suspended benefits shall occur regardless of whether the suspension occurs during twelve consecutive months or during twelve joined months where there are multiple periods of such reemployment. The reemployed retiree shall not be eligible to receive retirement benefits for the twelve-month period immediately following the effective date of such reemployment.~~

(b)(i) ~~Upon reemployment of a retiree, the employer shall remit employer contributions to this system based on the employer contribution rate that applies to the reemployed retiree's position on the date of such reemployment. Additionally, the employer shall withhold employee contributions from the reemployed retiree's compensation based on the employee contribution rate that applies to the reemployed retiree's position on the date of such reemployment and remit such contributions to this system.~~

(ii) ~~Upon termination of reemployment, if the reemployed retiree had worked and contributed to the system for at least thirty-six months, then his retirement allowance shall be increased by an amount that is attributable to the service that occurred during reemployment and the average compensation that is calculated for the period of such reemployment. The increased retirement allowance shall be calculated based upon the provisions of this Chapter that are in effect on the date of reemployment. In no event shall such a retiree's original retirement allowance, when combined with the increased retirement allowance, exceed the average compensation which is calculated for the period of reemployment.~~

(iii) ~~Upon termination of reemployment, if the reemployed retiree had worked and contributed to the system for less than thirty-six months, then the employee contributions paid during the period of reemployment shall, upon application, be refunded to the retiree.~~

(c)(b) Any retiree who is employed by an employer agency covered by this system on June 30, 2001, shall be exempt from the suspension of benefits, without regard to whether the retiree's effective date of reemployment occurred during the waiting period.

(2) Employers failing to submit the report required by Subsection B of this Section shall be liable for the repayment of contributions due to the system from the date of reemployment until such time as the report is filed."

AMENDMENT NO. 7

On page 2, delete lines 1 through 7

AMENDMENT NO. 8

On page 2, between lines 7 and 8, insert the following:

"§416.1. Reemployment of retirees under Act 455 of the 2001 Regular Session

A retiree who retired under the provisions of Act 455 of the 2001 Regular Session and was rehired in employment which otherwise would render him eligible for membership in the system shall choose one of the following irrevocable options:"

AMENDMENT NO. 9

On page 4, delete lines 21 through 26, and on page 5, delete lines 1 through 26

AMENDMENT NO. 10

On page 6, delete lines 1 through 11 and on line 12 delete "such time as the report is filed."

AMENDMENT NO. 11

On page 6, line 14, after "of" delete "this Section" and insert "R.S. 11:416"

AMENDMENT NO. 12

On page 6, line 18, after "of" delete "this" and on line 19 delete "Section" and insert "R.S. 11:416"

AMENDMENT NO. 13

On page 6, between lines 20 and 21, insert the following:

"Section 2. R. S. 11:266.1 is hereby enacted to read as follows:

§266.1. Investment through Louisiana chartered broker dealers

A. The provisions of this Section shall be applicable to all Louisiana state and statewide public retirement or pension systems.

B. Each Louisiana state and statewide public retirement system shall direct twenty-five percent of all investment trades through Louisiana chartered broker dealers."

AMENDMENT NO. 14

On page 6, delete line 21 and insert "Section 3. The provisions of Section 1 of this Act which enact R.S. 11:416.1 shall be applied to any person who retired on or"

AMENDMENT NO. 15

On page 6, line 25, delete "three"

AMENDMENT NO. 16

On page 7, line 6, change "Section 3" to "Section 4"

AMENDMENT NO. 17

On page 7, line 11, after "provisions" insert "of Section 1" and after "Act" insert "which enact R.S. 11:416.1"

AMENDMENT NO. 18

On page 8, line 4, change "Section 4" to "Section 5"

On motion of Senator Boissiere, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 134—

BY REPRESENTATIVES SCHNEIDER AND DANIEL
AN ACT

To amend and reenact R.S. 11:542(A), (B), and (C)(1) and (2), relative to cost-of-living increases for retirees, survivors, and beneficiaries provided by the Louisiana State Employees Retirement System; to provide relative to credits and debits of the Employee Experience Account from which such increases are paid; to provide for payment of such increases on a calendar-year basis and based on the Employee Experience Account balance for the prior fiscal year; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 134 by Representative Schneider

AMENDMENT NO. 1

On page 2, line 25 after "increase is" delete "granted" and insert "effective"

AMENDMENT NO. 2

On page 4, line 1, after "Section 2." insert "This bill shall become effective July 2, 2002." and delete the remainder of the line.

AMENDMENT NO. 3

On page 4, delete lines 2 through 6 in their entirety.

On motion of Senator Boissiere, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 145—

BY REPRESENTATIVE BROOME
AN ACT

To repeal R.S. 11:411(10), relative to membership in the Louisiana State Employees' Retirement System; to repeal provisions making employees of the East Baton Rouge Parish Housing Authority members of the system and providing for related matters; to provide that neither the East Baton Rouge Parish Housing Authority nor any employee thereof shall be required or allowed to make contributions to the system pursuant to Act No. 404 of the 2001 Regular Session of the Legislature; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 167—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:569.1, relative to hours for the execution of death sentences; to amend the hours during which death sentences shall be executed; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 8, 2002

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 28—

BY SENATOR DEAN
A CONCURRENT RESOLUTION

To urge and request local governing authorities, in cooperation with local school boards, to furnish appropriate public facilities for the provision of youth water safety education programs and swimming instruction to students in public schools.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 8, 2002

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 5—

BY SENATOR CAIN AND REPRESENTATIVES HILL AND JOHN SMITH
AN ACT

To amend and reenact R.S. 47:302.24(B) and (C) and 322.8, and to repeal R.S. 47:302.24(D), relative to sales and use taxes; to provide for the allocation and use of tax proceeds credited to the

Beauregard Parish Community Development Fund; and to provide for related matters.

SENATE BILL NO. 8—
BY SENATOR HOYT

AN ACT

To enact R.S. 33:172.3, relative to annexation of property by municipalities; to provide for annexation of property by the city of Crowley; and to provide for related matters.

SENATE BILL NO. 37(Duplicate of House Bill No. 112)—
BY SENATOR HAINKEL AND REPRESENTATIVE SCHNEIDER AND COAUTHORED BY SENATORS SCHEDLER AND THOMAS

AN ACT

To enact R.S. 13:721 and 722 and to repeal R.S. 13:719 and 720, relative to the Twenty-Second Judicial District Court; to provide for the office of commissioner for the Twenty-Second Judicial District Court in criminal matters; to provide for the selection and removal of the commissioner from office; to provide for the qualifications of office, salary, related benefits, expenses of office, and office space; to provide for the sources of funding for the commissioner and his office and employees; to provide for the duties and powers of the commissioner; to provide for conduct of proceedings by the commissioner upon consent of the parties; to provide for delays to traverse the findings and to provide for hearings thereon; to provide for the authority of a judge to accept, reject, or modify the findings; to repeal provisions providing for the existing office of commissioner; to provide for effective dates; and to provide for related matters.

SENATE BILL NO. 53(Duplicate of House Bill No. 9)—
BY SENATOR MOUNT AND REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 46:1053(C)(2)(d), relative to the Calcasieu Cameron Hospital Service District; to provide relative to the per diem of the members of the board of commissioners of the district; and to provide for related matters.

SENATE BILL NO. 75(Duplicate of House Bill No. 122)—
BY SENATOR BOISSIERE AND REPRESENTATIVE TUCKER AND COAUTHORED BY SENATOR SCHEDLER AND REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 33:9039.20(B)(7), relative to community development districts; to limit the authority of such districts relative to revenue producing utilities; to exclude electricity and gas service from such authority; and to provide for related matters.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 8, 2002

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Resolution have been properly enrolled:

SENATE RESOLUTION NO. 14—
BY SENATOR C. JONES

A RESOLUTION

To urge and request the Joint Legislative Committee on the Budget to urge financial support to rural towns and communities, in addition to other towns and communities in the state.

SENATE RESOLUTION NO. 17—
BY SENATORS SMITH, BARHAM, CAIN, ELLINGTON, HINES, MCPHERSON, AND ROMERO

A RESOLUTION

To urge and request the secretary of the U.S. Department of Veterans Affairs to keep the Veterans Affairs Medical Center in Pineville open, and to reinstate those programs and services which have been reduced or eliminated during the past several years.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Message to the Secretary of State

SIGNED

SENATE CONCURRENT RESOLUTIONS

April 8, 2002

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 4—
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Health and Welfare and the House Committee on Health and Welfare to meet jointly to

study and make recommendations regarding Medicaid reimbursement for well baby nursery days.

SENATE CONCURRENT RESOLUTION NO. 21—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To commend and congratulate Ralph Eggleston for his Academy Award win for Best Animated Short Film.

SENATE CONCURRENT RESOLUTION NO. 18—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To proclaim March 30, 2002 as Doctors Day in the state of Louisiana in order to honor and recognize all physicians who dedicate themselves and their careers to the care of their patients and the advancement of medicine and to thank them for their contributions to improving the quality of life for all of Louisiana's citizens.

Respectfully submitted,
MICHAEL S. BAER, III
Secretary of the Senate

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

April 8, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 67—

BY REPRESENTATIVES MURRAY, ALARIO, LANDRIEU, K. CARTER, HEATON, DEWITT, HAMMETT, AND CLARKSON

AN ACT

To amend Act No. 22 of the 2001 Regular Session of the Legislature, relative to the comprehensive capital construction budget, by adding thereto new Sections; to add projects for the Louisiana Stadium and Exposition District for upgrades of the New Orleans Arena and for an indoor football practice facility for the New Orleans Saints; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 8, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 32—

BY REPRESENTATIVES THOMPSON AND WELCH

A CONCURRENT RESOLUTION

To urge and request the Children's Cabinet Advisory Board to examine the six YouthBuild programs currently existing in Louisiana, to determine which are the most successful and why, to make recommendations for the expansion of the YouthBuild program to other areas of the state, and to report its findings to the legislature prior to the convening of the 2003 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 45—

BY REPRESENTATIVE CLARKSON

A CONCURRENT RESOLUTION

To commend Colonel John Francis Mulholland, Jr. for his remarkable term of military service.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Bajoie	½ Day	Cain	½ Day
Hines	½ Day	Marionneaux	½ Day
McPherson	½ Day	Romero	½ Day
Thomas	½ Day		

Adjournment

Senator Lambert moved that the Senate adjourn until Tuesday, April 9, 2002, at 9:30 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:30 o'clock A.M. on Tuesday, April 9, 2002.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON

Journal Clerk